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INDIA

A Record and Review of Indian Affairs

PUBLISHED MONTHLY

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CONTENTS:

	PAGE.
Indiana: Notes on Indian Affairs	353
Indian Cultivators—in Bengal and out of Bengal, by Romesh Chunder Dutt, C.I.E.	360
Land Revenue Enhancements in the Bombay Presidency, by the late Javerilal U. Yajnik	361
Mr. Tilak's Application to the Privy Council: Some Impressions	364
The Detention of the brothers Natu	365
London Indian Society's Dinner: Speeches by Sir W. Wedderburn, M.P., and Mr. Dadabhai Naoroji	366
Future Trans-frontier Policy	369
Mr. Tilak's Application to the Privy Council	371
Sir H. Fowler Breaks Silence	372
The Public Debt of India	374
"England and India": Mr. R. C. Dutt's book	376
Mr. Courtney on Indian Administration	378
The "Forward" Frontier Policy: Sir H. Fowler at Last	379
The late Mr. J. Dacosta	382
Reviews: British Moralists of the Eighteenth Century	383
The Indian Mutiny	384
Mr. Kipling's New Book	384

NOTICE.

With the present number of INDIA, *there are issued gratis* (i) *a full report of the proceedings of November* 19 *before the Judicial Committee of the Privy Council in the case of Mr. Bal Gangadhar Tilak; and* (ii) *a title-page and analytical index to* INDIA *for the year, January-December,* 1897.

Indiana.

Mr. Tilak's Application.

WE discuss elsewhere the chief question involved in the proceedings of November 19 before the Judicial Committee. But there are some further points which may be conveniently dealt with here. One sees in the comments of newspapers upon the case the frequent use of the phrase "Mr. Tilak's articles." But the incriminated matter was not Mr. Tilak's own work, and was not "articles" in the usual sense of that term. One of the two "articles" was an ordinary report of a meeting—the Shivaji coronation festival. The other was a set of verses sent in by a contributor. Between the two there was printed a leading article on the Diamond Jubilee which, as Mr. Justice Strachey admitted, was unexceptionable in tone. This article was written by Mr. Tilak, and was his only piece of work in that issue of his paper. The judge in his summing-up dwelt at some length upon an alleged state of unrest and popular excitement in Poona at the time when the incriminated matter was published. But, as Mr. Asquith showed, there was not a tittle of evidence before the Court as to any such state of affairs, nor is there any information anywhere that points to it. The plague operations, which undoubtedly gave rise to some excitement at Poona, had practically ceased a month before the date in question. Of course nobody supposes that Mr. Tilak would have been prosecuted if the Poona assassinations had not taken place. But no attempt was made by the prosecution to connect the murders with the publication of the incriminated "articles," and it is to be noted that whereas the "articles" appeared on June 15 Mr. Tilak was not arrested until July 27. The arrest was admittedly made with the sanction—which is perhaps another way of saying at the suggestion—of the Secretary of State. The sentence of "rigorous" imprisonment is unusually severe in such a case and, after the refusal of the Privy Council to interfere, it is not surprising that Mr. Tilak is reported to be preparing a petition to the Government for clemency.

The Discretion of the Privy Council.

THE Lord Chancellor, in announcing the material part of the decision of the Judicial Committee, stated that in their lordships' opinion "no case had been made out consistently with the rules by which their advice to her Majesty had been guided hitherto in giving leave to appeal in criminal cases." What are those rules? They were stated in the course of the proceedings (1) by Mr. Asquith and (2) by Mr. Cohen. Mr. Asquith cited what was said in *The Queen v. Bertrand* as

to the limits within which the Judicial Committee would exercise their discretion:—

It is not necessary, and perhaps it would not be wise, to attempt to point out all the grounds which may be available for the purpose; but it may safely be said that where the suggestions, if true, raise questions of great and general importance, and likely to occur often, and also where, if true, they show the due and orderly administration of the law interrupted or diverted into a new course which might create a precedent for the future, and also where there is no other means of preventing these consequences, then it will be proper for this Committee to entertain an appeal if referred to it for its decision.

Could there be a more apt description of Mr. Tilak's application? Does not Mr. Justice Strachey's remarkable interpretation of the law raise questions of great and general importance, likely to occur often? Does it not divert the law into a new course which will certainly create a precedent for the future? And is there any means of preventing these consequences other than the intervention of the Privy Council? Or turn to the rule stated in *Re Abraham Mallory Dillet* and cited by Mr. Cohen:—

Her Majesty will not review or interfere with the course of criminal proceedings unless it is shown that by a disregard of the forms of legal process, or by some violation of the principles of natural justice, *or otherwise*, substantial and grave injustice has been done.

Observe the words "or otherwise." One would think that they might suitably include a case in which an inexperienced judge, administering an unfamiliar law, had gravely misdirected an alien jury.

A Pecksniffian Rebuke.

The appearance of Mr. Asquith as leading counsel for Mr. Tilak in the application to the Privy Council provoked an amazing rebuke from the *Times*, which closed its first leading article on November 22, with these awe-inspiring words:—

A fine sense of delicacy in these matters does not appear to be one of the characteristics of Mr. Asquith. The appearance, even before an appellate Court like the Privy Council, of a member of the late Cabinet as counsel for a person convicted of seditious practices in India, is certain to lead to misconception among our Indian fellow-subjects.

The obvious retort to this bit of Pecksniffian criticism was supplied in the *Westminster Gazette* of November 24:—

"The attack," writes a correspondent, "to which reference has been made in the *Westminster Gazette*, of the *Times* on Mr. Asquith for appearing as counsel for Tilak, having regard to the fact of his having been a member of the late Cabinet, becomes more grotesque when we remember that Lord Halsbury, who sat as one of the judges in the Judicial Committee of the Privy Council, is a member of the Cabinet which actually directed the prosecution of Tilak. Last July, Lord George Hamilton, in reply to Mr. Michael Davitt, admitted that the prosecution of Tilak had been advised by him as Secretary of State for India, and in a matter of such moment it may be safely assumed that Lord George Hamilton acted on the advice of the Cabinet. The Indian authorities did not intend to prosecute Tilak, who, after the publication of the articles on which the prosecution was founded, was elected a member of the Bombay Legislative Council. The Governor of Bombay, who by virtue of his office is empowered to veto the election, took no steps to invalidate the popular selection."

The coolness of the *Times* is delightful. The Lord Chancellor was under no obligation to be present. But on what grounds was it open to Mr. Asquith to decline his brief—and to deprive Mr. Tilak of his services?

The Case of the Natus.

With reference to the case of the brothers Natu, a well-informed Indian correspondent writes:—"A case of greater hardship and injustice it would be difficult to conceive, and it is scarcely credible that proceedings of such extreme severity, marked by such utter disregard of the ordinary forms of law, could be possible in any civilised country. These two brothers belong to a wealthy and highly respected family holding a position of great influence in the Deccan. Their ancestors rendered most valuable and loyal services to the British Government, and were rewarded with grants of villages and other marks of confidence and honour, and the family have always shown loyalty and devotion to the British Government. One of the two unfortunate brothers held the high position of a first-class Sirdar of the Deccan. For some time past the brothers have taken a more or less active part in the more important social and political movements in the Deccan and thereby, it is believed, incurred the displeasure of some of the more intolerant officers of Government. Early on the morning of July 26 last, those two men were suddenly arrested by the police in their house in Poona, without any cause being assigned, and marched to the railway station escorted by mounted policemen. One of them was thence conveyed to Ahmedabad, and the other to Thana, whence he was removed to Bhag. Both of them have since been detained in gaol as political prisoners, and the whole of the family property—moveable and immoveable—has been attached and seized by Government, and placed under the control and management of the Collector of Poona. No charge of any kind has been formulated against them. No information of any kind has been vouchsafed to them as to the reasons which led Government to adopt such extreme measures against them. No attempt has been made to put them on trial or to hold any sort of enquiry, and there is nothing to show how long they will be detained in goal. The repeated applications of their legal advisers to be permitted to see them for instructions for a petition to be presented to Government on their behalf have been refused, and their own oft-repeated enquiries as to the matter charged against them, and the nature of the evidence justifying the extraordinary procedure adopted against them, have similarly remained unheeded.

The Regulation of 1827.

"THESE proceedings, so wholly repugnant to our sense of justice and fair play, and so utterly opposed to the principles and form of all civilised jurisprudence, have naturally created the greatest alarm and dissatisfaction throughout the country, and these feelings have been intensified by the persistent refusal of Government to allow the Natus an opportunity of vindicating their innocence and meeting the case alleged against them. Soon after their imprisonment a grave hardship was put upon one of them by the withdrawal of his Brahmin cook, and the compelling him to cook his own food, which he was unable to do, and it was not till after a remonstrance had been made that this oppressive order was withdrawn. Nor is this all. Government have thought it right and proper to decline to attend to any communications except from the prisoners themselves. At the same time they have been denied any sort of legal help and advice, and up to the present moment they have been kept utterly in the dark as to the case, if any, against them. It is currently believed, however, that they are suspected of some kind of complicity in a conspiracy which is supposed to have led to the deplorable murders of Mr. Rand and Lieutenant Ayerst in Poona, June 22. Lord George Hamilton, in the course of his speech in the House of Commons on August 5, announced that the arrest of these men was expected to unravel the supposed conspiracy. This may presumably be taken as a deliberate and authoritative pronouncement as to the reason of the arrest and detention of the two brothers, and this brings us to the question of the legal sanction for the proceedings taken against them by Government. The arrest of their persons and the attachment of their property have been effected under the provisions of an antiquated Act (Regulation xxv, of 1827) the continuance of which on the Statute book is discreditable to the traditions and feelings of a civilised nation. It empowers Government for certain reasons of State summarily to arrest and imprison persons believed to be guilty of the offences set out in the Regulation, and to attach and seize their lands. It is plain that a law of such exceptional severity ought to be put in force only under circumstances of the gravest public danger, and on reasonable apprehension that such danger could not be met or averted by any less drastic means. Equally clear is it that the Regulation was intended for turbulent times and circumstances menacing the peace and safety of the country. It is not difficult to see that none of these conditions exist in the present case, and that the enforcement of the Regulation against two peaceful and respected citizens of Poona like the Natu brothers, in such times of profound peace, has been in the highest degree impolitic and unjustifiable. But apart from general considerations, the measures of Government are indefensible even on technical grounds. The Regulation itself specifically defines the reasons of State for which alone its provisions can be put into force, and, shortly stated, these reasons must affect the relations of the British Government with foreign powers or allied native States, or imperil the safety and tranquility of the empire. It is preposterous to suppose that these two private individuals could be guilty of any such serious offence, and it is intolerable that such a stringent law should be put into motion only in the hope of discovering evidence of an ordinary offence, amply provided for by the ordinary laws of the country. The House of Commons was definitely informed by the Secretary of State for India that the arrests were made with his sanction, and only in the expectation of a supposed conspiracy for the perpetration of the foul murders of the night of June 22 being thereby brought to light. This is not one of the reasons of State warranting resort to the Regulation of 1827, and no one can be safe if the un-English machinery of such an Act is to be put into force for puposes of terrorism, and on the strength of information probably supplied by one's enemies behind one's back, and of the very nature of which he is ignorant.

Palpable Illegality.

"THE proceedings of Government regarding the attachment of the property of the family are similarly marked by palpable illegality, and it is difficult to avoid the conviction that this step was calculated, even if it was not intended, completely to paralyse the unfortunate men, by depriving them of all means of making their defence. The property is of very considerable value, and the family has been accustomed to a style of living in comfort and ease, and yet the only provision made for their support and maintenance by the Government out of the property is the miserable allowance of Rs. 250 (£15) per mensem in the case of one of them, and of Rs. 200 in the case of the other. What makes the proceedings still more oppressive and unjustified is that the property is the joint property of an undivided Hindu family, of which a third brother, against whom nothing is alleged, and who is not one of the suspects, is a member, and in which, therefore, he is interested to the same extent as the suspects. But this is not all. The Regulation does not warrant or contemplate the seizure of personal property at all, and yet every item of such property too has been sequestrated and placed in charge of the Collector of Poona, who has promptly given notice to all bodies holding any property of the family not to part with any portion of the property to any member of the family. It is probable that Government have rendered themselves

liable in heavy damages for their illegal and arbitrary action, and it is to be hoped that the legality of the proceedings will be made the subject of judicial investigation at an early date. It is necessary to add that there is no pretence now for the detention of these persons, whatever excuse there might have been at an earlier stage of this extraordinary case. The murderer of Mr. Rand and Lieutenant Ayerst has, it seems, been discovered, and has made a circumstantial confession, which wholly and absolutely absolves the Natus of any sort of complicity or knowledge. They are prepared to stand any trial or investigation which the Government may order, and they have repeatedly courted it, nor is it unreasonable to suppose that if the Government had any evidence in their possession worthy of the name, they would by this time have given some indication of it or taken action thereon against the prisoners. These are the facts of the case which cannot be disputed and I appeal to the sense of justice and fair play of the British public to make its voice heard, to secure the liberty of these unfortunate men."

Promise and Performance.

THE Queen's Proclamation of 1858, which the people of India regard as the charter of their rights, declares that her subjects of whatever race or creed shall "be freely and impartially admitted to offices in our service the duties of which they may be qualified by their education, ability and integrity, duly to discharge." Why do the servants of her Majesty endeavour so often to falsify their Sovereign's promise? The "Mahajana Sabha" or "People's Association" of Madras brings a most important case of this kind to public notice. The rules for the admission of the natives of India to the Engineer class of the Thomason Civil Engineering College at Rurki appear to have been so modified in the present year as to exclude the true natives of India. The rule for 1896 was that,

> Candidates for admission to this Class must be statutory natives of India, and not under 17 or above 21 years of age at date of entry to College.

The rule for 1897 is that,

> Candidates for admission to this Class through the entrance examination must be statutory natives of India, *other than Natives of pure Asiatic descent whose parents or guardians are domiciled in Bengal, Madras and Bombay*, and must not be under 17 or above 21 years of age at date of entry to College.

The italics are our own. What does this mean? Are young men of "pure Asiatic descent" excluded from qualifying themselves as Engineers in India through this Government institution because they are of "pure Asiatic descent"? We wait for further information. The Queen-Empress of India and the English people should know how the Queen's pledges to the people of India are kept.

Another Example.

ANOTHER glaring instance of disqualification of Indians of pure Asiatic descent is brought to our notice by Indian papers lately received in England. The post of Engineer-Secretary to the Patna Municipality was created and sanctioned by the Government of Bengal by a recent order. The Municipal Commissioners selected for the post Mr. P. C. Mukerji, an L.C.E. of Bombay University, who had had long experience in respect of drainage and water-works. The Divisional Commissioner, however, has negatived the selection for a reason which may be stated in his own words.

> What is required is a competent man who is neither Behari nor Bengali, Hindu or Muhammadan, and who can keep himself aloof from party influence. Obviously a good European officer is the only man who could fulfil these conditions.

We can scarcely conceive that a high English officer, and a Bengal Divisional Commissioner, should use such an argument. The whole population of India could be disqualified for all appointments in India by the use of such reasoning, and the Queen's Proclamation would become a delusion—a paltering with the people of India in a double sense, "keeping the word of promise to their ear and breaking it to their hope."

A Study in Confusions.

A CORRESPONDENT writes:—Pity at times is a sacred duty, most sacred when most unwelcome. It is easy to pity those who want your pity, but it is hard to thrust your compassion upon those who resent it. Yet you should not shrink from the task. Your ruth should be resolute, implacable. At all costs, pour it over the red-hot anger of the person to be pitied until it hisses itself into silence. The forlorn misery of the Tory Press and the Tory party in regard to the blunder of Chitral is a case in point. Their public agony is almost indecent. They advertise their distress at every corner. It is a kind of political epilepsy. Do not pass them by without stopping to straighten the spasmodic limbs and to sponge the contorted features. It is a sacred duty to pity them in spite of their demurring violences. They have made so very much worse a case which already was so very bad. Tory calleth unto Tory, Minister unto Minister, Editor unto Editor, until the sky is dark with apologies. "Our party, right or wrong," they mutter, as they launch a new solecism or forge a fresh fallacy. As the tide of war ebbs and flows in the wild regions far beyond the border, John Bull reaches for his whip. The culprits deafen him with exculpations, disavowals, subterfuges, sophistries, and nervously watch his fingers tightening round the butt. They have felt his lash of old, and now they tremble with fear deferred. It is your sacred duty to pity those

objects. Mr. Balfour (Norwich, November 4) taunts the Liberals because they attack Lord Elgin, while Lord James (Ramsbottom, October 25) taunts them because they do *not* attack him. If either be right, the other is wrong. So do the great, wise, and eminent ones cancel each other! But the pangs of the leaders are nothing in comparison to the pangs of the leader-writers, doomed to follow every gyration of every orator. The very *Globe* has tottered on its ancient axis. To wit:—

> Lord Elgin's indiscreet undertaking was expressly made conditional on the friendly behaviour of the tribes towards the Chitral relief expedition. But that condition was flagrantly violated from the first. Unless, then, the Radical intellect conceives that a contract deliberately violated by one party still remains binding on the other, "Honest John" and his co-accusers had better cease their silly clatter about breach of faith.

It would be easy to show that this argument is wildly untenable, for in point of fact the tribes, trusting in the word of the British Raj, allowed the expedition to pass through their territories without any serious molestation. Lord George Hamilton, in his despatch of August 16, 1895, admitted that "the proclamation was not without effect." It is, indeed, obvious, in the light of recent events, that, if the tribes had opposed the "relief expedition," and forced it to cut its way to Chitral, the difficulties of the force would have been enormously increased.

A Case for Assortment.

But (our correspondent continues) we need not dwell on that point, for the *Globe* itself supplies the antidote to its own poison. Finding out the weakness of this position, it scuttles into another, if possible still weaker. It decides to make a scapegoat of Lord Elgin, who fortunately happens to be a wicked "Radical Viceroy":

> The *fons et origo* of the whole controversy is, of course, the injudicious proclamation issued by Lord Elgin, a Radical Viceroy, whose appointment was in the first instance a scandalous political job, and who has more than once shown his unfitness for the responsible position which he holds by making promises to the natives which he has been unable to keep.

Here there is a distinct admission that the "promise" of the proclamation was not kept. Again:

> A Viceroy whose promises are, like piecrust, made to be broken must inevitably involve his Government, sooner or later, in embarrassment and discredit.
> The violation of the strict letter of Lord Elgin's foolish Proclamation was as nothing compared with the disgrace which would have attached to the English name through the abandonment of our helpless allies.

The arguments of the *Globe* may now be collated:

1. Lord Elgin violated the Proclamation;
2. Lord Elgin did not violate the Proclamation;
3. Lord Elgin was justified in violating it
   (*a*) because certain of the tribes violated it, and therefore violation ceased to be violation, and
   (*b*) because it was better to violate it than to abandon "helpless allies," who had not violated it, to the vengeance of those who had violated it.

These are only a few of the contradictions into which the Forward school have fallen in their despairing efforts to shore up their rotten case. For instance, the *Globe* abuses the Viceroy as "indiscreet," "foolish," "unstatesmanlike," as "unfit for the responsible position which he holds," while Mr. Balfour declares that he is an "honourable and able statesman" who "deserves our sympathy and support." Is it not a sacred duty to pity a Party and a Press whose ideas are so hopelessly mixed? Nay, is it not the duty of every humane man to sort them and sample them and arrange them neatly in bundles in the shop-front of Toryism? These notes are only a humble instalment of that gigantic task.

"Tribes of Northern India."

It is worth noting that Lord James, in the speech which is referred to above, described the tribes to whom the proclamation of the Government of India was issued as "the tribes of Northern India." "They were told," he said—we quote from the full report in the Tory *Manchester Courier*—"they were told that the Government had been guilty of a breach of faith and loss of honour in their dealings with the tribes of Northern India." Lord James does not appear to have seen how completely this description gave his case away—his case being, of course, that the charge of breach of faith was a partisan fabrication. The famous proclamation, dated March 14, 1895, was issued to the people of Swat and the people of Bajaur, and—an important point that is sometimes overlooked—"its purport" was "generally communicated upon the border." Now, as the proclamation promised among other things that the Government had no intention of "interfering with the independence of the tribes," it follows plainly that, if Lord James now correctly describes those tribes as "the tribes of Northern India," the proclamation has been violated. Lord James may plead that he is only following the bad example of the average sub-editor who permits himself to give to the telegrams such headings as "The Indian War," and "The War in India." But one expects a Cabinet Minister to be more careful about his words—even though he believes, with Mr. Long, that the brave tribesmen whom we are killing off are "rebels endeavouring to repudiate the authority and sovereignty of Great Britain."

Mortality from Famine.

There has lately been issued a further set of papers dealing with the "Famine and the Relief Operations in India," which brings the account down to May, or in some points to July last. Apart from the lateness of the

issue, the volume is so compiled as to give the impression that it is intended to confuse and dishearten the enquirer. On one or two points it is possible, no doubt, to glean definite information—such as the number of people on relief:

NUMBERS ON RELIEF. 1896-7.

End of each month—

Oct.	Nov.	Dec.	Jan.	Feb.	Mch.	Apl.	May.	June.	July.
54	251	532	2,026	3,141	2,811	3,298	4,064	3,927	3,220

(in thousands.)

From October 1896 to June 1897, there was a fearful rake's progress, as the number on relief grew from 53,800 to 4,240,000. It has since been officially signified that the famine, or the need of special aid, is over. Yet here we find Mr. Fox-Strangways writing from the Central Provinces that

in October the early rice will give very general relief and will probably lower prices everywhere. The rabi sowings which will be taken in hand during that month, will further diminish the demand for Government relief. In November the remaining Kharif crops will be reaped, and after December it is generally expected that if the crops are normal, there will be little or no further necessity for direct famine relief.

So that it was not hoped that the famine would be gone until the New Year. And what of the mortality? The answer is that this curious volume does not tell clearly—even for the short period with which it deals. Nay more, there are fresh signs of the old distaste for the complete truth. Speaking of the district of Hoshangabad in the Central Provinces during March last, the Deputy-Commissioner writes: (p. 36.)

Deaths due to starvation.—There were 1,427 deaths during the month, of which 23 were due to cholera, 18 to small-pox. There were 18 deaths due to starvation verified by the police out of a total of 85 reported as due to privation, excluding the 110 deaths on relief works and in poorhouses.

To show the value of this confused statement, let us quote a passage on the same page respecting the Narsinghpur poorhouse, where

there were 124 deaths or a ratio of 128·09 per 1,000 during the month against 107, or a ratio of 137·49 per 1,000 in the previous month. Of these deaths, four cases were brought to the poorhouse in a moribund state due to want of food, three of them died the same day they were brought. In the case of 53 other persons that died, illness was induced by want of food, the sufferers having been brought to the poorhouse in a very emaciated condition. In the Gadarwara poorhouse there were 73 deaths during the month, against 104 in the previous month. Of the 73 deaths, eight were due to want of food and 45 due to illness and diseases induced by want of food. During the month there were 26 deaths in the Chhindwara poorhouse against 25 in the previous month, with a death rate of 167·61. Of the 26 deaths, four were due to want of food, and 12 due to illness and disease induced by want of food.

These two excerpts are a specimen of that which is made to do duty for information.

A Disposition to Minimize. ONE observes again the distinctions between death from "starvation" and "privation," and the wisdom which produces figures "excluding deaths on relief works and in poor-houses." The reporter from whom we have quoted says, referring to Seoni, (p. 27.):—

Deaths are put in class (*a*) where they were due to the entire want of food or to inadequate food for *some days prior to death*. They occur chiefly among wanderers in remote parts of districts. In class (*b*) are put cases where, in spite of adequate and suitable food, death occurred in consequence of previous want of nourishment. Such deaths take place chiefly at poor-houses and at relief centres, and in the relief kitchens which are now attached to all large works.

What does it matter where the unfortunates died, whether in or out of doors, or how long or how short the time during which they were without food? They died, all of them, because of the famine. There seems to be a disposition throughout the reports to minimize the total mortality from famine. What is wanted is the truth, the whole truth, and that at this date it would be possible to give much more satisfactory figures is evident from the report from the Central Provinces, which are also the centre of the famine operations. At page 26, under the heading, "Mortality, deaths from starvation," we get the following table which "gives the total number of deaths and the death-rate (per mille per annum)" for the months of January and February respectively:—

DISTRICTS.	DEATHS.		DEATH-RATE.			
			Exclusive of Towns.		Inclusive of Towns.	
	Jan.	Feb.	Jan.	Feb.	Jan.	Feb.
Jubbulpore	5,807	6,839	86·	102·	107·	114·
Saugor	3,313	2,907	55·	60·	63·	59·
Damoh	1,740	1,417	—	—	64·	52·
Mandla	1,313	2,396	—	—	46·	85·
Seoni	1,948	1,621	—	—	63·	52·

Such a table errs through want of precision. All deaths are included and those due to famine cannot be distinguished. It would, however, have been practicable to construct a table from such figures as these, together with those showing the increased recourse to relief of various kinds, which might have served as a rough index of the effect of famine. Here and there, no doubt, we get a figure that is helpful, as when on page 80 we find that 912 persons died from privation during March in the Central Provinces. But we cannot tell how many died throughout India, and the "special death-rate return" on pages 223-231, though useful, is incomplete. It is not sufficient to give us percentages of deaths for several months for the various provinces. To interpret these it is necessary to compare them with the statistics of population, and to the ordinary mind the chief question is, not the ratio between deaths and population, but how many human beings have died in consequence of the famine. It is quite true that it is early to expect a complete return of the famine's ravages. But the public is entitled to far less haphazard information than is here afforded.

The whole Truth Wanted. WHO is responsible for this state of things? The cue comes from the top, and ideas filter down from above. This miscellaneous report supplies evidence that the want of information is largely consequent upon the form in which the schedules have been placed before subordinate officers. The Central Provinces were the sorest spots, and in writing from Simla, on behalf of the Government, Mr. T. W. Holderness

refers (on page 82) to the mortality returns of the month of March, 1897, as follows:—

The number of deaths shown in column 16 of Statement A. as due to starvation is grievously large in five or six districts. But it is clear from the divisional and district remarks that the returns include deaths from unknown causes which have been attributed without sufficient evidence to starvation by the reporting agency. . . . . more pains to secure correct classification, etc. . . . . The Government of India think that further precautions are required to secure proper examination of the figures for each district before they are returned, and to exclude deaths from cholera or unknown causes.

Precisely. But as cholera and small-pox are endemic among the Indian people superfine distinctions and classifications might have been dispensed with—and, above all, the number of deaths as well as the percentages might have been given. Common sense is as necessary as "pains in classification." That the Government is sensitive on the point, is clear from a letter which Lord Elgin sent to Lord G. Hamilton on April 28, in the course of which he says:—

As exaggerated statements as to the number of deaths occurring in India in the present season of distress not unfrequently appear in the public press it may be well to point out that the population of the Murwara Tahsil is only 173,000, of the entire Jubbulpore district 758,000, and of the Mandla district 339,000. An extraordinarily high death-rate in a small area for a portion of the year does not imply so great a destruction of life throughout India through distress as is sometimes assumed. We do not in any way seek to minimize the concern with which exceptional mortality in any area, however small, should be viewed, but we think that the relative proportion of things is sometimes lost sight of. In spite of wide prevailing scarcity and distress the present monthly death-rate of British India as a whole shows little excess over the normal.

It is quite apparent that the "proportion of things" is lost sight of. As for the reference to "minimizing" let the following passage from the same letter, be read in the light of the fact that the returns are as defective as we have indicated:—

In the North-West Provinces and Oudh, where from the first a very powerful staff has been at the disposal of the local government, where communications are excellent and all other circumstances are favourable, and where relief has been administered with the utmost completeness and thoroughness, the death-rate of several districts has been persistently over fifty per mille per annum, and this high rate is held by the local government to be sufficiently explained by the exceptional character of the year and by the severity of the distress, which the Government is striving by all the means at its command to mitigate. In the Central Provinces the difficulties of the situation are very much greater. It is not only a question of organising relief, but of inducing the people to avail themselves of it. The population is spare in many parts and the areas to be explored by the relief officer large and difficult of access. The wilder tribes are prone to wander and to subsist on unwholesome food. Much of the excess mortality in the Central Provinces has occurred in poor-houses and in relief centres, to which exhausted wanderers congregate or are consigned by the police and the relief officers. Immigration from Native States has now, it is reported, been greatly stopped, but in the past this has also swelled the poor-house population, and the mortality of poor-houses and relief centres. A good deal has also been done to induce the wild forest tribes to come to the relief works, and to accept other forms of relief. For these reasons we are disposed to think that the mortality may diminish in the immediate future, though should it continue, we should not consider that it necessarily implied a failure on the part of the administration. We have, as we have already said, taking the utmost care to satisfy ourselves that all that can be done to relieve the unavoidable privations of the people is being done by the Chief Commissioner and his officers.

We may leave this passage to tell its own tale. But we appeal to members of Parliament in particular to support our reiterated demand for a prompt and full disclosure of the number of deaths due to famine. A satisfactory return can be prepared. It may never be complete in its enumeration, but satisfactory it can be made, and we ought to get it without any avoidable delay.

The Work of the British Committee.

THE recent Liberal victory in the Middleton division of Lancashire was by common consent won on the question of the "forward" frontier policy, and we are happy to say that the speakers and lecturers who co-operate with the British Committee of the Indian National Congress contributed in no small measure to this result. Many members of Parliament who took part in the bye-election were supplied with copious information on the "forward" policy by the British Committee, and two of the lecturers who regularly work with the Committee delivered upwards of thirty speeches during the contest; to crowded and appreciative audiences. The same lecturers also worked in the Barnsley division and in the Exchange division of Liverpool, where a large amount of "literature" was distributed on behalf of the British Committee—Congress reports, copies of Mr. Surendra Nath Banerjea's great speech at Poona, reports of speeches by Mr. Dadabhai Naoroji, and special numbers of INDIA. As we stated last month this important department of the work of the British Committee is being steadily developed, as the following circular, issued last month to the hundreds of branches of the National Reform Union and other associations, will show:—

NATIONAL REFORM UNION.

Telegraphic Address: "POLITICS, MANCHESTER."

50, HAWORTH'S BUILDINGS,
5, CROSS STREET,
MANCHESTER,
November, 1897.

INDIA.

DEAR SIR,

The events that are now taking place on and beyond the north-western frontier of India, and the certainty that the great burden which the present war will, if imposed on the finances of that sorely-tried and impoverished country, make its administration bankrupt, and engender much disaffection amongst the native populations, are matters on which the electors of Great Britain ought to be thoroughly informed.

I am therefore instructed by my Committee to urge upon all the Branches the importance of having lectures and meetings, at which speakers well qualified to deal with the subject of India, and its needs and difficulties, may address popular audiences.

On the Lecturing Staff of the Union are some such speakers, and the British Committee of the Indian National Congress are willing to co-operate with the Union in supplying other speakers. The services of these lecturers and speakers will be supplied gratuitously to any Branches that will get up meetings on the subject of India.

Please bring this matter before your Committee at an early date, and if they decide to hold a meeting, let me have two or three alternative dates which I may submit to the speakers for their choice.

Yours faithfully,
ARTHUR G. SYMONDS,
Secretary.

The British Committee of the Indian National Congress is supplying part of the funds necessary for this campaign, and other public meetings are also being arranged.

INDIAN CULTIVATORS, IN BENGAL AND OUT OF BENGAL.

By Romesh C. Dutt, C.I.E.

The Appendix to the Final Report of the Royal Commission on Agriculture gives us some interesting information about Agriculture in India, in pages 92-95, which requires a passing notice. The information about India was supplied to the Royal Commission by the India Office, and the general conclusion which the India Office arrives at is that, "apart from drought and famine, Indian agriculture is not in a depressed condition." Unfortunately the condition of the agriculturist in India depends on other circumstances than merely the condition of agriculture, and even when there is no drought and no famine, the condition of the agriculturist is one of indebtedness and poverty in all Provinces of India outside Bengal.

The one circumstance which presses severely on the Indian peasantry (outside Bengal) is the excessive taxation on land, and the constant increase of this tax at every recurring revenue settlement. So long as the settlement officer is busy in raising the land revenue at each recurring settlement, any permanent improvement in the condition of the agriculturist is impossible, however much agriculture may spread and prosper.

Let us examine some of the figures supplied by the India Office to the Royal Commission. In the Punjab the land revenue increased in seven years, (1888 to 1895), from Rx. 2,114,000 to Rx. 2,382,000; increase, Rx. 268,000. In the Central Provinces the rental increased from Rx. 1,042,000 to Rx. 1,201,000; increase, Rx. 159,000. In the North-West Provinces the rental increased from Rx. 8,255,000 to Rx. 12,207,000; increase, Rx. 3,982,000. In other words, a short period of seven years witnessed an increase of land revenue by 12 per cent. in the Punjab, and of the rental by 15 and 48 per cent. in the Central and the North-West Provinces. Does any man in his senses believe that agriculturists in India can be prosperous under this system of constant and enormous increase of rental and land revenue?

Let us compare these figures with the figures for Bengal. In Bengal, which is permanently settled, the landlords have, according to the India Office, increased the rents about 19 per cent. in twenty-two years ending in 1895. In other words, the increase is about 6 per cent. every seven years. How does this compare with the increase of rental of 15 per cent. in the Central Provinces and of 48 per cent. in the North-West Provinces? The much abused zemindars of Bengal seem to be models of moderation compared with the State landlord in other parts of India, or with the petty proprietors who exact from the people in order to pay into the coffers of the State landlord.

There is an Act called the "Bengal Tenancy Act" in operation in Bengal. It restricts the power of landlords to enhance rents, and it confers the tenant-right on the cultivators. It is, so far, the final legislation on the subject, and Bengal is indebted for it mainly to the labours of Lord Canning and Lord Ripon. Why is this excellent law not extended to the other provinces of India? Because (so the people of India universally believe) the Government as landlord does not desire to confer on *its* tenants those rights which it has conferred on the tenants of the Bengal zemindar; because (so the people universally assert) the Government as landlord desires larger enhancements of rent from *its* tenants than it will allow the Bengal zemindars to obtain from their tenants. I cannot myself believe that such objects could have influenced either the Government of India or the local Governments. But the difference in the law is patent, and the people cannot be blamed for accounting for it in the way they do.

And thus we are presented with two different agricultural pictures in India. In Bengal the rental increases about 6 per cent. in seven years; in the North-West Provinces and the Central Provinces it has increased 15 to 48 per cent. in the same period. In Bengal the peasantry are protected by the Tenancy Act; in the other parts of India the peasantry are not so protected; the State is the landlord and obtains enormous enhancements. In Bengal the money which is received as rent from the cultivators remains with the zemindars in the country, and is spent in fostering local trades and local industries, and in promoting education and various charities; in other parts of India the money received as rent from the cultivators is Imperial revenue, and mostly goes out of the country in frontier wars or in home charges.

Does anyone now wonder that there have been famines in other parts of India—six times within the sixty years of Her Majesty's reign—and that there has been no serious famine in Bengal within this period? I have elsewhere recommended the extension of Permanent Settlement to other parts of India; and I may be permitted to conclude this article by quoting one short passage from what I have elsewhere written.[1]

> It is a remedy (the Permanent Settlement) which was adopted in Bengal by Lord Cornwallis in the last century, which has saved the greater part of Bengal from famines, and has secured to the cultivators and landlords the increasing profits from the soil. It is a remedy which was extended to Benares by Lord Teignmouth towards the close of the last century, and which was proposed for all India by Lord Canning after the famine of 1860. . . . That this reform is urgently needed will scarcely be denied by unbiassed men. So long as fresh revenue settlements are made every thirty, twenty, or even fifteen years, securing an increase in the demand from the soil, it is idle to talk of improvement in the material condition of the people of India. A severe famine is devastating the greater part of India in the present year, but the settlement officer is still at his work. A large increase in the State demand has been obtained from the Central Provinces of India, and a large increase is expected in the Province of Orissa, where the settlement operations are now proceeding. It were well if the people of the Central Provinces and of Orissa were assured that this large increase is the last; that henceforward England desires the cultivators of India to reap the increase in the income from the soil. A permanent limitation to the State demand from the soil would be a fitting gift from their gracious Queen-Empress in this year of the Diamond Jubilee to the impoverished people of India.

[1] "England and India (1785-1885)." Pp. 134, 135.

LAND REVENUE ENHANCEMENTS IN THE BOMBAY PRESIDENCY.

By the late Javerilal U. Yajnik.

To Sir George Wingate belongs the credit of introducing a land revenue system in the Bombay Presidency which has been in operation for more than fifty years. Sir George was associated in this work with Mr. Goldsmid, Secretary to Government in the Revenue Department, and Colonel Davidson, of the Survey Department. The principles upon which Sir G. Wingate framed his system were based on the consideration that the assessments of land should be as near its natural rent as possible; that any excess over this natural rent was tantamount to a reduction of what would go to form a profit and wage fund of the cultivator. His profits and wages were really the funds from which any addition to the capital and population of the country could be made. He believed that in an agricultural country such as the Deccan the general rate of profits or the usual reward of industry was regulated by that which the cultivator obtained from his soil. It was hardly to be expected, therefore, that as long as the cultivator in the Presidency, especially in the Deccan, remained in a depressed condition, any advances could be made by society in general. Impressed with this idea, Sir George Wingate, in dealing with the vital importance of the land assessment, never failed to dwell on the fearful consequences of an error on the side of over-taxation. "No unnecessary reduction can injure the country, and the Government revenue can only suffer from it to the extent of such reduction. An error upon one side involves the inevitable ruin of the country; an error upon the other some inconsiderable sacrifice of the finance of the State, and, with such unequal stakes depending, can we hesitate as to which should be given the preponderance? The line of true policy under such circumstances is not shown in an attempt to fix the assessment at what the land will exactly bear, but in fixing it as far within this limit as the exigencies of the State will permit." These principles of moderation in the assessment of land were worked out by Sir G. Wingate in the original settlement of the Deccan. Their results became evident during the currency of the settlement in a rapid extension of cultivation and in the condition of the peasantry. More land was taken up as the cultivator found that its cultivation would leave him a fair margin of profits, and Government revenue began steadily to increase. It was devoutly to be hoped that his principles, which were no other than those founded on economic laws applied to the condition of the country, would be followed in their integrity by his successors in revision settlements on the expiry of the original settlement leases. But it is by no means too strong language to say that in the revision settlements as worked out at the present day the principles which Sir G. Wingate constantly pressed on the attention of the Government of his day have been literally thrown to the winds, their place having been taken by rigid, grasping principles, whose object is the greed for revenue more than the welfare of the peasantry. The main object kept in view is how best to screw out the uttermost farthing from the occupant of the land. It is the working of these rigid principles underlying specious arguments that is responsible in a large measure for the present depressed condition, the indebtedness, the want of staying power during a bad year, and the utter helplessness to pull through a year of scarcity or famine.

Sir George Wingate retired just about the time when the first taluka in Poona, namely, Judapur, was brought under revision. This revision showed a percentage increase of 53 over the collections of the last year. After Judapur, the talukas next settled were those of Sholapur and Mádha at an increase of 77 per cent., of Bhimthadi at 69, of Papat at 49, of Supa at 36, and of Jharmala at 32 per cent. The subject was brought to the notice of Government by the late Mr. Havelock, Commissioner of the Southern Division of the Presidency. He put up experimental farms on his own account, to test for himself how the incidence of the enhanced assessment pressed upon land. His practical study showed that the revision assessment pressed relatively more on the medium and the lower than the higher-classed soils. He attributed the result to the new classification, by which rates on land were raised. His view was that the rayat deserved every encouragement for the capital and labour expended by him on land which had been reclaimed or improved by the sinking of wells and by the conversion of dry-crop lands into rice or garden lands. Meanwhile, the collections of enhanced rates in revised talukas in 1873-74 showed that the number of notices served on rayats for recovery of arrears in Poona was 19,346, in Sholapur the number was 9,117; the number of cases of distraint was 302, and the balance outstanding was Rs. 86,620. In Poona the cases of distraint were 893, and the outstanding balance Rs. 20,623. In course of enquiries into the subject, the attention of Government was specially drawn to the following points:—

(1) The absence of free interchange of opinion between Settlement and Revenue Officers;

(2) The failure of the anticipation that prices would rise;

(3) The severity of assessment, demanding a limitation of enhancements; and

(4) The difficulty of realising the enhanced revenues, and the necessity of encouraging the rayats to make improvements by a liberal treatment of land newly brought under cultivation.

About this time a valuable note was published by Mr. W. G. Pedder, C.S., then chief Secretary to Government, on leading points regarding revenue settlements. The gist of it was that "the enhancements of assessment already made have undoubtedly been too great, and that Government might with advantage lay down, as a general rule, that the enhancements in a revision of settlement in the total demand on any taluka should not exceed 25 or 30 per cent." Mr. W. G. Pedder's opinion as a Settlement officer of many years' experience in Gujarat carried great weight.

Thus was brought about the famous limitation resolution of the Government of Sir Philip Wodehouse in No. 5739, dated October 29th, 1874, on

limitations of enhancements on revision settlement. The limitation orders are :—

(1) That the increase of revenue in the case of a taluka or group of villages brought under the same maximum dry-crop rate shall not exceed 33 per cent.

(2) That no increase exceeding 66 per cent. shall be imposed on a single village without the circumstances of the same being specially reported for the orders of Government.

(3) That no increase exceeding 100 per cent. shall in like manner be imposed on an individual holding.

The pledges held out by orders in this Resolution were repeated more than twice since 1874, but the Settlement Department has seldom heeded them. They have been usually violated. Government have gone on enhancing the assessment in revision settlements in utter disregard of them.

In 1876, the Deccan Riots Commission urged strongly upon the Government a policy of moderation. Two of the members of that Commission, namely, Sir Auckland Colvin, and Mr. W. C. Carpenter, held that the revised settlements of land in the Deccan were too heavy, and the method of assessment was faulty.

In 1879 the subject was brought for the third time to the notice of the Bombay Government by the Government of India in connexion with the Deccan Relief. Sir Theodore Hope admitted, in his speech introducing the Bill in the Viceregal Council, that "*to our revenue system* must in candour be ascribed some share in the indebtedness of the rayat."

The fourth time that the Bombay Government had this question of moderation in enhancement brought to its notice was when the Secretary of State for India, Lord Cranborne (the present Lord Salisbury), had before him the proposal of the Bombay Government to retain the services of Colonel Anderson for a further period of six months, on the ground that the greater part of the dry-crop measurement and classification would require to be done again. The Secretary of State took the opportunity of drawing the attention of Government to the annoyance, harassment, trouble, anxiety and expense to the people which are inseparable from detailed re-measurement and re-classification of land at each revision of assessment. He urged that the rayats should be spared the trouble and annoyance of field operations and of more alterations in the revenue valuations of their lands, which the Government of Bombay described in 1877 as "a chief cause of irritation." He next drew attention to the element of uncertainty in the assessment of land revenue, and urged the practical difficulty of securing a proportionate equality of assessment under the law which requires that improvements made by the holders of land shall not be taken into account in revisions of assessment. The Secretary of State accordingly desired that there should in future be no general re-measurement or re-classification preliminary to a revision settlement.

The fifth time the Government of Bombay was moved to reconsider its land revenue policy was when Mr. Pollen, special Judge under the Deccan Agriculturists Act, informed Government (1) that the rayats were overburdened with an intolerable amount of paper debt outstanding against them; and (2) that in average years an ordinary Deccan rayat does not gain enough from the produce of his fields to pay the Government assessment, and to support himself and his family throughout the year, so that really no margin is left for the payment of his debts.

The sixth time the Bombay Government was asked to reconsider its land revenue system was in 1883, when the Government of India asked it to report as to whether certain principles laid down for the guidance of the Government of the North-West Provinces in future revisions of settlement, could be made applicable to the Bombay Presidency. The two points to which the Government of India invited the special attention of the local Government were (1) that to avoid the trouble, annoyance and expense under the existing system of revision of assessments, the process of re-valuation of land should be eliminated in future from the scheme of land assessment, or, in other words, that, the agricultural value of land having been once ascertained with tolerable accuracy, that value should be taken as the basis for future assessment; and (2) that the future assessments of land revenue should be arranged under such rules, and in such a manner, as would enable proprietors of land to forecast with tolerable precision, and without official aid, the enhancement of revenue to which they would in future be subject. In replying to this communication, the Government of Bombay submitted a report from Mr. Stewart, the head of the Bombay Survey Department. The purport of Mr. Stewart's Report was (1) that re-measurement and re-classification were not contemplated in the Bombay system, and that after the present work had been placed on a satisfactory footing, no such operation would be necessary; and (2) that in order to place the work on a satisfactory footing in districts remaining to be dealt with, no general re-measurement or re-valuation was necessary. *Partial re-measurement and re-valuation would ordinarily suffice.*

It is necessary to understand what this partial system of re-measurement and re-classification is. This partial method utilizes, in the first place, the old measurements and classification in dry-crop lands which have undergone no change whatever in area or character of agriculture during the currency of the last thirty years' leases. Only such survey holdings are taken up for re-measurement and re-classification as have been broken up and converted into rabi, rice, or garden plots, or which have been formed wholly out of alluvium, whether old or freshly deposited. One may judge of what is thought of this partial system by the rayats affected by it from a very significant phrase in which the peasantry in the Deccan, Konkan and Southern Maratha country describe it. The plain meaning of this phrase is that "he finds his crack of doom who has his survey number broken up" (*Gyáchá numar phootlá tyaché nasit phootlé*).

There are three notable features of this partial revision system. The first is the introduction, for the first time, of an entirely new factor in the valuation of soils in classification work, called the "general position class," which carries with it a tremendous

power of enhancement; the second is a raising of the maximum rates for dry-crop, rahi, rice and garden lands; and the third is the tendency to limit the groups in classification work, and to reduce the many-group system to the one-group system. These three features have been an integral part of the new method of working out the partial system ever since the law to exempt improvements from taxation came into force. The system has been designed expressly to counteract the effects which might be produced by exemption of improvements from taxation. Public confidence in the Bombay Presidency in the work of the Survey Department has been greatly shaken by the notorious taxation of improvements in past and current settlements, in spite of the statutory provision in regard to their exemption. This provision, though loosely worded, had a place in sec. 30 of Act 19 of 1855, and subsequently in the Land Revenue Code, Bombay Act V, of 1879, but a doubt having been expressed as to its meaning, the Government of Bombay passed an Act (Act 4, of 1885) which provided that assessments should not be increased on revision on account of increase in the value of land due to improvements and effected in such land during the currency of any previous settlement by, or at the cost of, the holder thereof. The passing of the Act put a spoke in the wheel of the Survey Officer, and seemed for a time to encourage the rayats in the improvement of their land. But the operation of the Act has been rendered abortive by the ingenuity of the Survey Department in devising a scheme whereby the taxation of improvements is carried out in broad day-light under the head of lands enjoying the advantage of the general position class. This was at first designed to be used in soil classification only, but in Jahandesh it found application in the grouping of villages. In Amalner, for instance, all the 275½ villages were placed by one stroke of the pen in one group, at a maximum dry-crop value of Rs. 2. 12. 0. In Grandale all the 229 villages were placed under a maximum rate of Rs. 2. 10. 0. In Julgaon, all the 100 villages were put under one group with a maximum rate of Rs. 3. 4. 0.

Thus arose the battle of the one-group scheme against the many-group scheme. The argument of the Survey Department in favour of the one-group system was the similarity of the villages in each taluka in point of climate, communications, and proximity to good markets. The district officer, however, had regard to the *effect* which a wholesale uniform grouping would have on the villages of the old lowest groups, especially as compared with those of the highest, and which, it was believed, and believed very rightly, would press on the rayats for the whole period of the coming lease. Thus the unevenness of increases which would result in the different villages was at the root of the Collector's objections. The strongest condemnation of the uniformity of group system came from Colonel J. M. Ward, then Superintendent of the Deccan Survey. Referring to the plea put forward by the Survey Commissioner in defence of the system, he remarked: "I venture to submit that these words amount to a condemnation of the arguments which precede them in favour of a one-group scheme. They contain an admission that the scheme is unscientific, and is recommended only that thirty years hence a fair starting-point may be afforded for survey settlement principles being once again taken into consideration. In the meanwhile, it is acknowledged that the old lower groups will suffer in comparison with those originally assessed at a higher rate." In deciding on the question the Government of Bombay sacrificed all argument and sound reasoning on the altar of uniformity. The climax was reached when the Bombay Government openly set at nought the Exemption of Improvement Act (Bombay Act V, of 1886), in their Resolution dated 30th August, 1888, on the revision of settlement of 116 villages of the old Jahalapur Petha of the Jharjat taluka. The passage in the Resolution worthy of note is the following: "It appears to H. E. the Governor in Council that all future questions of taxation of improvements should be avoided by assessing the land at once for its present and prospective capabilities, and recording the result as the standard assessment in the survey and village papers, the difference in the rate at which it may be considered advisable to levy at once being in the case of occupied lands treated as a remission during the period of the revised settlement, on the distinct understanding that at the next revision survey the full rate will come into operation, with such increase as may then be found to be justifiable, whether the contemplated improvement has been effected or not." After this, it is difficult to say whether finality in the assessment of lands will ever be reached under the Bombay land revenue system.

The chief points on the question of revenue enhancements I have tried to put forward here are:—

(1) That the original settlements introduced by Sir George Wingate in the Bombay revenue system led to extension of cultivation and improvement of the condition of the agricultural classes.

(2) That the Government of Sir Philip Wodehouse, desiring to avoid extreme increases on individual holdings, villages, and talukas, issued orders in 1874 limiting enhancements to 33 per cent. in the case of a taluka, 66 per cent. in the case of a village, and 100 per cent. in the case of an individual holding.

(3) That the expediency of exercising moderation in revision settlements was brought seven times to the notice of the Government of Bombay by high authorities but without any effect.

(4) That the partial method of re-measurement and re-classification of lands in revision settlements contains within itself the germs of a system of taxing improvements made at the cost of the labour and capital of the rayat in the conversion of dry-crop warkas, rahi, rice, and garden lands.

(5) That the statutory provision in favour of exemption of improvements by Act IV, of 1886 is rendered nugatory by the device of the general position class introduced for the first time in classification work, which assigns to position a value which is equal to that of soil and water.

(6) That this position class is made to do duty at at one time in classification, and at another time in working out the one-group scheme.

(7) That the one-group scheme as against the many-group scheme raised a controversy in which

the District Collector and one eminent member of the Survey Department took part and pointed out that the scheme was unscientific; but that Government sacrificed argument and reasoning on the altar of uniformity.

(8) That undue importance is attached to the position class in the new classification.

(9) And that the Jahalapur Petha Resolution is a warrant to all peasantry in the Presidency that all future questions of taxation of improvements shall be avoided by assessing land at once for its present and prospective capabilities, and recording the result as the standard assessment in the survey and village papers.

MR. TILAK'S APPLICATION TO THE PRIVY COUNCIL.

SOME IMPRESSIONS.

I.—HOW IT STRUCK AN ONLOOKER.

I have often heard of the Judicial Committee of the Privy Council, but until Friday the 19th I did not know exactly what the words meant. They conveyed a vague notion only, like the expressions "the welkin" or "the situation." So as I made my way to Downing Street to see this mysterious body, I said to myself, "I shall see it as it is." Having done so, having gazed upon the Lord Chancellor in the flesh, I am bound to confess to a feeling of disappointment. The scene on that dull November morning was by no means impressive. The room in which the Committee sits is common-place and has not even the humble merit of being clean. The members of the Committee who were present, the Lord Chancellor, Lord Davey, Lord Hobhouse, and Sir Richard Couch, were not adorned with wig and robe, but sat there at a big table, looking very much bored, and if I may use the term without disrespect, looking also rather "stodgy." Indeed, those who are accustomed to attend the sittings of this Committee told me that the appearance of indifference on the part of their lordships was marked and unusual. As a rule they interrupt counsel with question after question, with arguments, and even with protests and contradictions. On Friday, during the two hours of Mr. Asquith's closely reasoned and masterly argument, scarcely a word was said by the four gentlemen who sat, head leaning on hand, and apparently only waiting for Mr. Asquith to finish in order to announce a decision already arrived at.

And who could help contrasting all this with the keen and even pathetic interest taken in the proceedings by some thirty of Mr. Tilak's fellow-countrymen who were standing at the back of the room following with strained attention every word of Mr. Asquith's speech. When he made a particularly good point—and he made many, some of them, as I thought, unanswerable—I noticed more than one of the native gentlemen present looking earnestly at the four apathetic old Privy Councillors, as if saying "surely *that* will impress them." And that little group of thirty or so, in the dull, drab room, were representatives of millions in that vast portion of the world called India. The surroundings seemed grotesquely unworthy of the far-reaching, almost measureless, consequences which depended upon the result of the appeal. To me by far the most interesting figure in the room was Mr. Bonnerjee, who, with his junior Mr. Blair, sat behind Mr. Asquith. I had heard of the tireless devotion and the splendid ability which Mr. Bonnerjee had given to the case, both as a great lawyer and an enthusiastic patriot.

I am not a lawyer, but even a layman could see the force of many of Mr. Asquith's points, as he tore to pieces the remarkable summing-up of Mr. Justice Strachey. For instance, there was that amazing dictum that disaffection means the "absence of affection." Mr. Justice Strachey had claimed that this doctrine had been laid down by Sir Comer Petheram, but here he was wrong, for Sir Comer had spoken of that which is "contrary to affection." A man need not be learned in the law to see the monstrous injustice, and even stupidity, of punishing a man for the "absence of affection." This would mean that men are to be imprisoned for merely regarding the British Government in India with mild indifference! It implies that all those who are not prepared to fling up their hats and turbans and to sing pæans of praise, are liable to transportation. Again, Mr. Asquith made it abundantly clear that the judge had interpreted passages of poetry and flourishes of rhetoric in a dull, wooden, literal manner, that he had strained law against Mr. Tilak, and that there was ample reason why leave should be granted for an appeal. For it should be remembered that Mr. Asquith, and those associated with him, were not asking that the decision of the Court in India should be reversed. They were not asking that Mr. Tilak should be released. All they pleaded for was that leave should be given for an appeal against the sentence to be argued. That was all! And yet, after Mr. Asquith had for two hours put forth reason after reason, the opposing counsel for the India Office only uttered about a couple of sentences, the room was cleared, and in a very few minutes the Lord Chancellor declined to give leave!

The members of the Judicial Committee do not seem to trouble about giving many reasons for their decision, or at least they did not on this occasion. Nor can you tell, as you can in the Court of Appeal, whether there had been any difference of opinion. But I could not help thinking that surely so great a lawyer as Lord Davey, and so just an Anglo-Indian as Lord Hobhouse, must have regarded with some amazement not a few of Mr. Justice Strachey's dicta. And even the Lord Chancellor's few sentences in refusing the appeal did not contain any enthusiastic approval of the impugned summing-up. He declared that the summing-up was "of great length"—one remark in a highly controversial matter, upon which we can all agree—and then his lordship went on to say that we must look at it as a whole, and regard everything that was said in the light of what else was said. That is the old, old trick of the orator, or preacher, or writer who has uttered or produced an absurdity, and who always tries to escape by saying—"look at the context."

I have said that my experience of the Judicial Committee of the Privy Council is confined to its meeting on Friday, November 19. But those who know it well, lawyers who are often there, tell me that it is a very unusual thing for the Lord Chancellor to grace its proceedings with his presence. It is singularly unfortunate that he should choose to adjudicate upon a case in which he is interested as a Cabinet minister. I should be sorry to wrong his lordship, but there were not a few who regarded him as a politician rather than a judge when he turned up to listen (supposing that he *did* listen) to Mr. Asquith's arguments. Lord Halsbury has never shown any excess of scruple, any ultra-delicacy of feeling or super-sensitiveness. Indeed, to put it broadly, he is not likely easily to surprise any of us. But his appearance in that dull, dingy room in Downing Street did make some of the onlookers stare, and it made others who know his lordship well shake their heads, and say: "It's a bad omen for poor Tilak." And so it proved.

II.—BY A MERE LAWYER.

The Judicial Committee was undoubtedly fairly representative, consisting of Lord Halsbury, L.C., Lord Hob-

house, Lord Davey, and Sir Richard Couch. There seems good reason for the exception that has been taken to the presence of the Lord Chancellor, who is a member of the Government which authorised the prosecution. The story goes that the date of hearing was expressly arranged to enable him to sit. It would certainly have been much better if he had studiously stayed away. Those of us who know the judicial temper of the English Bench will not give any political weight to Lord Halsbury's presence; but it is only too obvious that a very different impression may readily prevail in India. It was, at the very least, unfortunate.

One of the most prominent characteristics of a case before the Privy Council is the extraordinary and persistent heckling to which counsel are always subjected. This was completely absent in the present case. Their lordships followed Mr. Asquith in absolute silence, broken only by one or two occasional remarks which carried very little significance. An outsider was heard to remark that they seemed to take it all without the least concern. A regular practitioner at the Bar of the Committee said that he had never seen such profound silence on the part of their lordships during an experience of a quarter of a century. Yet there was plenty of room for remark. The circumstance offered a very natural basis for the totally unfounded allegation that their lordships had come into the room with their minds made up in opposition to the application. This, too, seems unfortunate.

Mr. Asquith spoke to their lordships, not to the public. He was not at all well heard through the room. Of course, having to speak fully a couple of hours, he was wise to save his energies and his voice. Still, those who were familiar with the case were able to follow him. There can be no question that he presented all—or nearly all—the points with adequate force and lucidity. One would have liked to hear Mr. Bonnerjee follow him. The Committee hear only one counsel on such an occasion.

The Lord Chancellor announced the decision of their lordships in the barest possible form—adding, however, a strange *obiter dictum* on the judge's summing-up. The Committee did not think there was any reason sufficient to overbear the rule laid down by their lordships in such cases. It occurs to one that any such rule ought not to be rigid, but rather ought to be flexible. The uninstructed observer could not fail to be amazed at the decision, rule or no rule; and he could not but ask himself whether the spirit of the law were not sacrificed to the unessential wrappages.

I think myself that a good deal too much has been made of Mr. Justice Strachey's initial explanation of "disaffection" as the "absence of affection." It is wrong, of course; but, with the further equivalents—enmity, ill-will, etc.—the jury could not have been misled by it, for surely they were not exceptionally stupid men. But, as Mr. Asquith clearly insisted, Mr. Justice Strachey ought to have pointed out that the real test was in every instance the final expression of the illustration to Section 124A: namely, that the ill-will, enmity, etc., in order to amount to disaffection must be such as tended to excite active hostility to the British Government in the sense of endeavour to abolish or subvert it. The limited interpretation of "measures" was also a proper subject of objection; and Mr. Asquith showed that Mr. Justice Strachey had contracted the intention of the clause in a wholly unjustifiable manner, by restricting it to particular measures of particular kinds. Another very strong point, it seems to me, was Mr. Asquith's contention that the Explanation gives but a single example of multitudes of possible cases. By taking it as covering the whole section Mr. Justice Strachey undoubtedly perpetrated a most gross misdirection of the jury. It was also a very unhappy thing that such a case should have been tried in circumstances where neither the judge nor the counsel nor two-thirds of the jury were capable of understanding the incriminated expressions in the original language—especially when the evidence on the translations was so completely unsatisfactory.

These are a few outstanding points. But they appear to be more than sufficient to satisfy any unbiassed outsider that a rule which precludes the judgement of Mr. Justice Strachey from revision must be radically wrong. It is worse than useless to lay down a rule of legal procedure that lands the Court in conclusions which clash violently with the ordinary common sense of the public. Besides, it is not the English public, but the Indian public, whose common sense ought to be the measure of any such rule. Not all the judges who ever sat in this world would convince the Indian public, or any other public for that matter, that such grievous misapprehensions as those of Mr. Justice Strachey do not require correction and remedy. In India this view is, beyond everything, important. Our Empire there rests on the belief of the natives in the sternly unbiassed justice of the English. But when a decision like this comes to them from the highest English tribunal, what can they say? And how can their objections be met? The political importance of this case is but too obvious. It is wholly deplorable.

THE DETENTION OF THE BROTHERS NATU.[1]

From the "Manchester Guardian."

The case of Mr. Tilak is not the only matter arising out of the troubles at Poona last summer which calls for notice. If Parliament were sitting we should have heard—or at least we ought to have heard—a good deal about the two brothers Natu who were arrested nearly four months ago, under the summary powers of a seventy-year-old enactment, and who have not yet been brought to trial. Some of the members of the present Cabinet are developing a curious habit, especially in the matter of the "forward" frontier policy, of shifting to the shoulders of subordinate officers in India the responsibility for decisions taken at home. But that expedient is out of the question in the case of the Natus. No sane person imagines that the Government of Bombay would have taken so grave a step except under instructions from the Secretary of State, and Lord George Hamilton, in a reply to a question of Mr. Michael Davitt's, admitted in the House of Commons on August 2 that his sanction had been obtained before the arrests were made. It may be well to set out a few dates in this episode. The Poona murders took place on June 22, and the Anglo-Indian press in India, promptly followed and encouraged by the Jingo press in London, fell into a great panic. On July 17 the Simla correspondent of the *Times* telegraphed home that "the worst possible effect" would be produced if a "policy of inaction" were "persisted in much longer." The phrase "policy of inaction" was explained in the next sentence: "No arrests have been made up to now of the persons concerned in the Poona outrages." On July 22 a telegram from Bombay announced: "Sir J. Woodburn, member of the Viceregal Council, has left for Poona." The "policy of inaction" straightway ceased. Five days later Mr. Tilak was arrested at Bombay, and the brothers Natu were deported from Poona. No charge was made against the latter, but under the provisions of the Bombay Regulation XXV, of 1827, they were detained during the pleasure of the

[1] This article appeared in the *Manchester Guardian* of November 16, under the heading: "The Poona Prisoners. From a Correspondent."

Government, and their estates were attached and placed under the management of the revenue authorities.

From that day to this neither the Government of India nor the Bombay Government has produced a tittle of evidence against them, nor given the slightest indication of an intention to bring them to trial. In the debate on the Indian Budget on August 5, Lord George Hamilton, replying to the criticisms of the Irish members, said that every Government in the world must have a reserve of power for times of emergency. That is a proposition which is not likely to be disputed. But a very great deal depends upon the mode in which such power is used. When the brothers Natu—both of them prominent and wealthy citizens of Poona—were deported without trial it was assumed both here and in India that after no great lapse of time a charge would be formulated against them. The telegram from Bombay which announced the arrests said: "It is confidently expected that disclosures of an important kind will be one of the immediate results." The expectation was undoubtedly reasonable. But Lord George Hamilton may decline responsibility for expectations. In that case he may be referred to the words which he himself used in the House of Commons on August 5. "I believe," he said, "that the authorities at Bombay are within their rights in the action which they have taken, and that the result of the proceedings will be to unravel the plot which has been formed." Four months have passed, and no plot has been unravelled. On the contrary, a single individual has made to the police, and repeated before a magistrate, a confession as to the murders to which Lord George Hamilton referred. Yet the brothers Natu are neither released nor brought to trial. This is a state of affairs which cannot be regarded as satisfactory by observers at home, and which is exciting profound indignation in India. The Government of Bombay may, of course, be in possession of grave evidence against their prisoners. But they render themselves liable to adverse criticism when, after the lapse of four months, they still give no sign of an intention to produce it. Lord G. Hamilton, in the speech to which we have already referred, spoke of the brothers Natu as "notorious men." That was a strong epithet for a Secretary of State to use, and it is high time that he took the public into his confidence as to the precise meaning he intended to convey. At present, what is publicly known about the younger brother is, that some time ago he was tried and acquitted on a charge of rioting, and what is publicly known about the elder brother, who is a Sirdar of the Deccan, and one of the municipal commissioners of Poona, is that during the plague operations in that city he addressed to the collector a series of temperate and courteous letters, calling attention to acts of carelessness which he said he had witnessed. Those who are responsible for the government of India have passed and are passing through troublous times, which entitle them to every consideration on the part of their fellow-countrymen. But so far as the facts are known in the Natu case, they give rise to great uneasiness, which hasty talk about plots and inaction certainly does not dispel. It is high time that the further facts, if any, were made known, or the suspects released.

With reference to the letters of Mr. B. R. Natu to the Collector of Poona which were published in our last issue, the *Morning Leader* (November 3) printed the following leading article under the heading: "Is it English?"—

The current number of India calls attention to a scandal in our treatment of Indian affairs which stands out with gross prominence, even among the many scandals with which Lord George Hamilton's administration has made us but too familiar. We know that there is a small and insignificant though noisy clique in this country which regards all the natives of India as so many "niggers," who may be denied all semblance of justice with impunity. But this is not true, we are thankful to know, of the great majority of Englishmen. The average man, be he Liberal or Tory, is anxious that justice should be done to our fellow-subjects in India, and it is before this great fair-minded public that we wish to place the following facts concerning what is called the case of the Natu brothers. When the plague broke out in Poona, nearly all the natives who could afford to leave left in a panic. The two brothers Natu, gentlemen of high education, of great wealth, and of distinguished social position, remained. The elder of the two was what is known as a Sirdar of the Deccan and a Municipal Commissioner—that is to say, a man entrusted with great powers in local government. The two came forward as volunteers to assist the Anglo-Indian officials in stamping out the plague. Suddenly they were arrested, and under an obsolete regulation of 1827 were, without any pretence of a trial, without even any charge being made against them, deported. To-day they are still suffering imprisonment and are absolutely cut off from all communication with the outside world. The regulation to which we have referred gives the Government of Bombay the right to attach the immoveable property of those deported—that is to say, to seize their landed estates. In this case, however, all the moveable property, consisting of jewels and hard cash to the amount of hundreds of thousands of rupees, has also been taken. And under this strange regulation there need not be any intention of ever bringing the men to trial, for, of course, there is no such thing as a Habeas Corpus Act existing in India. At the same time, when such powers were granted, the presumption, of course, was that while a responsible Government might during a crisis find it necessary to arrest and imprison Indian subjects, it would at some later date bring them to trial and produce evidence. But this is not Lord George Hamilton's way. He has openly acknowledged in the House of Commons that the arrests were made at his instigation. He said the two native gentlemen were "notorious." In what way? Their record is that the younger brother was once prosecuted and was honourably acquitted, while the elder brother has never been charged with any offence at all. To say that they are not one-tenth as notorious as Lord George Hamilton is a mild way of putting it. The cruelty which results from fear is proverbial, and when a feeble, incompetent creature like Lord George Hamilton is seized with panic, when he loses that which, for want of a better word, we must call his head, he sticks at nothing. These men have now been locked up for four months, and not a shred of evidence has been offered to justify their detention. Men are beginning to say in India that Russia could do no worse than this. Can any man here say that this is English treatment? We should either prosecute the men or let them go; and if we continue to do neither, the sooner we cease to brag about our national love of fairness the better. We as a nation have done great things for India in the past. We have sent some of the finest public men out there who have given the best years of their life to her service. Macaulay (one of the distinguished band) declared that we held India because our word was never broken and our justice was above suspicion. But just as a madman can in an hour destroy that which it has taken many a year to build, so a bewildered and incapable official like Lord George Hamilton, whose ignorance of India may be said to be co-extensive with the wisdom of Solomon, may in a few months undo all the good wrought by generations of able and devoted men.

LONDON INDIAN SOCIETY'S DINNER.

SIR W. WEDDERBURN ON THE WORK OF THE CONGRESS.

MR. DADABHAI NAOROJI ON "BRITISH RULE ON BRITISH PRINCIPLES."

The annual dinner of the London Indian Society was held in the Queen's Salon of the Holborn Restaurant, on Monday, November 1. Mr. Dadabhai Naoroji, President of the Society, was in the chair, and the company included Sir W. Wedderburn, Bart, M.P., Professor A. F. Murison, LL.D., Mr.

Romesh Chunder Dutt, I.C.S., C.I.E., the Hon. D. A. Khare, Mr. W. Martin Wood, Mr. Edmund Russell, Mr. Moulvi Raffiudin Ahmed, Mr. Hasan Sherfudin Khalil, Mr. H. Mullick, Mr. K. W. Bonnerjee, Mr. S. Z. A. Balkhi (Vice-President) and Mr. Balwant Singh (Hon. Secretary). In all 58 persons sat down to dinner. Letters of regret for unavoidable absence were read from the following among others :—Mr. A. O. Hume, C.B., Mr. W. C. Bonnerjee, Mr. H. J. Reynolds, C.S.I., Mr. J. Herbert Roberts, M.P., Mr. H. Morgan-Browne, Mr. W. S. Caine, and Mr. J. Seymour Keay. The proceedings were characterised by great enthusiasm throughout. A feature of the menu was a series of Indian dishes supplied by Messrs. Veerasawmy and Co. In the course of the evening the company was photographed by flash-light. After dinner,

The Chairman, Mr. Dadabhai Naoroji, who had an enthusiastic reception, proposed the toast of "The Empress and the Royal Family." He said that whether India's condition was that of joy or sorrow her Majesty always had a share in it, having always been deeply sympathetic with her Indian subjects. (Cheers.) What Indians wanted was British rule on British principles—(hear, hear)—and this demand was not a new one. The Queen in her gracious proclamation had given them that great gift, upon which they would always take their stand to demand their rights as British citizens. (Cheers.) Indians would never forget that great proclamation, which they owed to the Queen Empress personally, and which was the greatest gift that they had received from the British people. (Cheers.) Therefore he proposed the toast not as a formality, but in all sincerity. (Cheers.) He felt that the Queen had special claims to the respect, the attachment and the gratitude of her Indian subjects. (Loud cheers.)

The toast having been duly honoured,

Professor A. F. Murison proposed the toast of "India and the National Congress." The past year, he said, had been for India a year of gloom—of plague, famine, earthquake, and war. Useful lives had been lost, business had been disorganised, the finances of the country had been dislocated, and many seeds of multiform evil had been sown. The plague had unhappily yielded an indirect outcome of much bitterness in Poona and Bombay. However great the credit justly due to the noble efforts of the officials to cope with the famine—(hear, hear)—yet there could be no doubt that still more beneficent results might have been reaped in the way of precaution, had the Government but listened to the wise recommendations of Sir William Wedderburn. (Cheers.) The monstrous perversity of the Frontier war—(shame)—would necessitate further loans in England, and hamper the Calcutta finances deplorably, with social results of a very far-reaching character. For judicious counsel in the depressing circumstances, where could one usefully turn but to the National Congress? (Hear, hear.) The policy of internal prosperity was the only possible means of salvation, and this policy the Congress had steadily urged in opposition to the insane waste of the treasure of India on Frontier fighting. (Cheers.) In conclusion, Dr. Murison urged the importance of remembering that the personal bearing of individual Indians in England must always count for a good deal in the formation of English opinion on the claims of India. (Hear, hear.)

Mr. Romesh Chunder Dutt, rising in answer to loud calls, responded for India. He said that in that year of disasters and calamities the thoughts of Indians naturally reverted to the earlier times when their country had played the part of an earthly providence—(hear, hear)—all the world over. (Cheers.) He dwelt upon the contributions which ancient India had made to the progress of civilisation, and said that to be a native of India was a matter for the highest pride. (Loud cheers.)

Sir W. Wedderburn, M.P., who was received with loud and prolonged cheering, replied to the toast of the Congress. He said he was glad to think that the name of the Indian National Congress was now known through the length and breadth of the land. (Hear, hear.) It was universally recognised as a great power, whether for good or for evil. They believed the Congress was a power solely for good; but it was most important that the British public should better understand what the Congress really was, especially that they should understand what was its origin, and what functions it desired to fulfil. As regarded the origin of the Congress there was no doubt, and no mystery; for it was the natural and healthy offspring of the generous and enlightened policy, and especially the educational policy, adopted by the British nation towards India—(cheers)—a policy of trust in the people. (Cheers.) This spirit of toleration, of equity, and of benevolence, found a voice in successive Acts of Parliament, and in the ever memorable Proclamation of Her Most Gracious Majesty the Queen. (Cheers.) They could ask for nothing better. Thus it happened that those classes which accepted the boon of higher education became enthusiasts for British rule, and accepted the British Government not merely as a necessity, but as their National Government. (Cheers.) These sentiments originated among the people themselves, but they took definite shape twelve years ago through the labours and self-sacrifice of one man, Mr. Allan Hume—(loud applause)—the father of the Indian National Congress. Having accepted the British Government as the National Government, the object of the Congress party was to make that Government strong in the affections of the people. And for this purpose the function they desired to perform was that of interpreters between the rulers and the masses of the ruled, between the British people and the people of India. (Hear, hear.) Surely this ambition was a noble one, and a useful one. (Cheers.) Surely the offer of such help should be very welcome to the rulers upon whom rested the responsibility for the welfare of 300 millions of people, thousands of miles away, differing from themselves in language, race, and religion. Above all such help was necessary when this greatest of all modern problems was complicated by the calamities of war, pestilence, and famine. He believed that the British public would heartily welcome the co-operation of the Congress if they understood it better, and were satisfied that it was really representative in its constitution—(hear, hear)—that it was honest in its aims—(hear, hear)—and practical in its proposals. (Hear, hear.) Upon these three points he should like to say a few words. As regards its representative character they were aware that the delegates to the Congress were freely elected at public meetings held in every Province and Division in India, and that the endeavour was to include as far as possible every class and creed. No doubt the educated class formed the backbone of the movement; but this was a source of strength, not of weakness; for this class possessed the greatest influence, the whole subordinate administration of British India being in their hands, while they were the principal advisers of the Native States, and also practically monopolised the independent professions. Further this influence was in India strengthened by the caste system, under which there was excessive division of labour, and the priestly caste mainly did the thinking for the rest of the community while other castes respectively did the fighting, the trading, and the cultivation. Every effort was made to make the Congress representative—(hear, hear)—but if those who challenged its constitution would suggest any means or method by which more perfect representation could be secured they would gladly modify their system accordingly. (Cheers.) In the exemplary State of Mysore a similar popular assembly was utilised as the greatest help to a beneficent administration, and the necessary public machinery existed to make it fully representative. If similarly the British Government accorded gracious recognition to the Congress it would be joined by many timid well-wishers of British rule who were now unfortunately kept away by fear of official disfavour. (Hear, hear.) This would broaden the base of the Congress, while it would raise and mellow the tone of its deliberations. Secondly, as regarded the honesty of Congress aims, that was guaranteed by the profound belief of the educated classes that the true interests of India and Great Britain were identical. (Cheers.) The only alternatives to British rule were Russia or anarchy, and neither of these alternatives commended themselves to the educated classes of India. (Hear, hear.) In seeking to render British rule a blessing to the people they were actuated by both patriotism and common-sense. The whole movement was above board, it was constitutional and it was unselfish. (Hear, hear.) Nothing was secret. On the contrary, the great object of the Congress was to let the British public know all that it knew itself. Again, it was sometimes made a reproach to the Congress that it owed its policy to the British Committee sitting at Palace Chambers, Westminster. (Laughter.) The British Committee would be very proud—(laughter)—to wield such a power over public

opinion in India; the Imperial government might be glad if it could do so itself. (Cheers.) As a matter of fact the Committee possessed no such power, but those who made this allegation must see that their theory was incompatible with the idea of anything unconstitutional—of any conspiracy against British power in India. (Hear, hear.) Also the movement was altogether unselfish. The leaders had much to lose and nothing to gain from supporting it. And they had to thank the Government for preserving the purity of the movement, and purging away the dross, by withholding from supporters of the Congress those personal favours—(laughter)—which for the self-seeker formed so irresistible an attraction. (Cheers and laughter.) If public honours were bestowed on those most honoured by the Indian people then long before this those honours would have descended upon their chairman of that evening. (Loud cheers.) But to him the highest honour had always been to sacrifice himself for his fellow countrymen, (hear, hear), fulfilling the faithful saying, that "Whosoever of you will be the chiefest, shall be servant of all." Upon the third point, the practical character of the Congress programme he would be brief. The moderation and reasonableness of the proposals spoke for themselves to anyone who would give them fair and kindly consideration. (Hear, hear.) But the Congress did not come before the Government with a cast-iron programme. Their wish was to make known to the Government the needs of the people, and to help the Government in ministering to those needs. (Hear, hear.) According to their view the welfare of India would be best secured by following the policy of Lord Lawrence (cheers), who was known as the "Saviour of India," and of the Marquis of Ripon (loud cheers), who was called the "Conqueror of India," because he had conquered the hearts of the Indian people. In this Jubilee year they did well to wish success and prosperity to the Indian National Congress, believing as they did that its labours had for their sole object the safety, honour, and welfare of her Majesty and her dominions. (Loud cheers.)

Mr. Gordon Hewart proposed the toast of "The London Indian Society."

Mr. S. Zeauddin A. Balkhi (Vice-President), in response, said that Indians resident in this country had always found in the Society an accessible centre, whence they had been able to express to the British public their views with regard to the needs and aspirations of their country. (Cheers.) From time to time conferences had been held by the Society to ventilate in this country matters connected with India, and at the last conference—held during the "Diamond" Jubilee celebrations—Indians of all communities resident in the United Kingdom had approached their beloved Sovereign by the presentation of a loyal address through the medium of their chairman, Mr. Dababhai Naoroji. (Cheers.) The ignorance prevailing in this country about India and the Indian people made it necessary for Indians to carry on their propaganda to educate the British people about their country and themselves. The Society was working energetically and calmly in this direction. (Cheers.) It seemed to him that the Government of India and the India Office would pay no attention to any demand until they could be sure that it was supported by the British public. (Hear, hear.)

The toast of "The Land we Live in" was proposed by Moulvi Raffiudin Ahmed who, in a vigorous speech, laid emphasis upon the dangers which might arise from the social ostracism to which Indians were often subjected in India. (Cheers.) The exclusion of Indians from many clubs and societies by Europeans in India was a matter of no small moment—(hear, hear)—which ought not to be forgotten in the midst of purely political discussion. It had been said that Indians had to come to England in order to find that Englishmen were gentlemen. Certainly, the treatment received by Indians in England at the hands of Englishmen was very different from the treatment received by Indians in their own country. (Hear, hear.)

Mr. Martin Wood, in responding to the toast, remarked that what chiefly made the world-wide reputation of England was surely its sway over the great peninsula of India—some sixteen times larger than this small island, with its forty millions as compared with India's three hundred millions. But we must be mindful of this reputation, for power was only another word for duty, and it was only as this was fulfilled that such reputation could be preserved. John o' Gaunt spoke of England as "the royal nurse of kings"; but should not this modern England of the people be equal and faithful to that true reputation? (Hear.) He trusted that, in spite of some drawbacks, it would so prove. But for this they must rely much on the Indians themselves. "Most of you have seen, and, it may be hoped, have learned the best of what England can teach. We trust you will live up to that, and do your part in this great imperial task. (Hear, hear.) And you could have no better example to this end than your revered and honourable president. (Cheers.) Consider only what he has done since your last annual gathering, in his invaluable labours in the Royal Commission. (Hear, hear.) But your society and its young members must remember that Mr. Dadabhai could not have rendered those great services to both countries if he had not from his early days studied, worked, and striven, without thought of honour or advantage for himself." (Cheers.) With such an example before them, they should also strive to do their very best for their own land, and that would also be for the benefit and glory of "this land we live in." (Cheers.)

Mr. H. Mullick proposed the health of Prince Ranjitsinhji—the "prince of cricketers"—coupling with his name the names of Mr. Chatterjee—(cheers)—who had taken the first place in the open competition for posts in the Indian Civil Service, and of Mr. K. W. Bonnerjee—(cheers)—who had "coxed" the Balliol eight in the races last summer term. The toast was received with the greatest warmth, and

Mr. K. W. Bonnerjee, in answer to calls, briefly responded. Nothing that he had done, he said, deserved to be mentioned along with the brilliant achievements of Mr. Chatterjee and Prince Ranjitsinhji.

Mr. Balwant Singh (Hon. Secretary), proposing the health of the guests, mentioned the valuable services they were individually rendering to his country in various ways. Indians were not wanting in the sense of gratitude, but were always grateful for the help rendered to them in the achievement of their political aims. (Hear, hear.)

Mr. Edmund Russell responded.

Mr. Hasan Sheefudin Khalil proposed the health of the President of the London Indian Society. He said that he felt the greatest pleasure and pride in discharging the task which had been allotted to him. (Hear, hear.) His young fellow-countrymen had a sufficient inspiration in the noble example of that worthy son of India, Mr. Dadabhai Naoroji. (Cheers.) Mr. Naoroji had throughout his life taken an intense interest in the welfare of Indians without distinction of class or creed. (Hear, hear.) It was with a fervid zeal that he began his work more than forty years ago for the education and political wellbeing of India, and in spite of disappointments and obstacles thrown in his way—in spite of evil words showered upon him by calumnious tongues—(shame)—Mr. Naoroji had held to his task with unruffled firmness of mind. (Loud cheers.) He had laughed at the aimless ravings of responsible and irresponsible personages—(laughter)—around him, and after long years of deep thinking and earnest acting, of countless difficulties cheerfully faced and nobly overcome—(hear, hear)—years of incessant struggle with ignorance, prejudice, and officialism—he still toiled on with all the energy and vivacity of youth. (Cheers.) The active and unselfish life of Mr. Dababhai Naoroji was a well-stored armoury from which every Indian might draw his own weapons of usefulness. (Loud cheers.)

Mr. Dadabhai Naoroji, whose rising was the signal for a scene of great enthusiasm, briefly replied. He was, he said, deeply grateful for the kind words which had been said, and he accepted them with great satisfaction as a token that the labours of his life commended themselves to his fellow-countrymen. (Cheers.) It had been to him the happiest element in his life that he sympathised with, and enjoyed the sympathy of, Indians of every class and creed without exception from the prince to the peasant. (Loud cheers.) They were, no doubt, subject to misrepresentation and misinterpretation, but they were convinced of the justice of the British people—(hear, hear)—and they must persist in the disinterested work to which they had set their hands. (Hear, hear.) The starting-point and foundation of all their hopes was the permanence of British rule in India, but it must be British rule on British principles. (Loud cheers.) That was the whole aim of the Indian National Congress, and that was the maxim which they wished to inculcate in the minds of the justice-loving people of the United Kingdom. (Loud cheers.)

OUR WEEKLY ISSUE, 1898.

The first number of the weekly INDIA will be issued on Friday, January 7, 1898.

It is proposed in the first instance to publish each week a paper of 16 large foolscap pages. That is to say, subscribers will receive in the course of the year more than twice the number of pages which they now receive.

It is not, however, proposed to increase the Indian subscription, which will remain at 6 RUPEES per annum, prepaid, including postage.

The subscription in the United Kingdom will be 9 SHILLINGS per annum, prepaid, including postage.

The price of a single copy will be TWO PENCE or TWO ANNAS—postage extra.

A full report of Parliamentary proceedings relating to India will continue to be printed, and it is hoped that questions put and answers given on THURSDAY AFTERNOON may be fully reported in the issue of the following day.

Special attention will be given to articles upon Indian affairs which appear in British NEWSPAPERS, MAGAZINES, and REVIEWS.

The work of the British Committee of the Indian National Congress will be regularly chronicled, and reports will be given, so far as space permits, of meetings at which Indian topics are discussed.

INDIA.

LONDON, DECEMBER, 1897.

FUTURE TRANS-FRONTIER POLICY.

In our last issue we drew pointed attention to the policy of the future on and beyond the North-West Frontier of India as foreshadowed by the *Standard*, the official spokesman of the Government. The *Standard*, (September 30) said:

> The gradual but sure advance of another European Power in Asia has made it imperative to adopt a stronger and more adventurous line of action. Statesmen of all parties have agreed that India must be secured from external dangers: and this security can only be attained by the effective occupation of the military frontier which would have to be defended.

Here the action of the Government of India is made to depend upon the advance of Russia in Central Asia. On that ground the *Standard* demands, as the sole adequate means of precaution, "the effective occupation of the military frontier "which would have to be defended." The security of India from external dangers—that is to say, dangers from Russian invasion or attack—is, of course, common ground. Everybody accepts that as fundamental. The real question is as to the facts of the case and the policy applicable. Now we have always held that the military frontier to be defended will be best defended on our own side of the mountains, where we are close to our base and unhampered in any way, while the Russians would be far from their base, and subject to the hostility of the mountain tribesmen between them and us. We stand by the policy associated with the great name of Lord Lawrence. On this the *Standard* says, (October 5):

> When Lord Lawrence spoke of our finding the strongest security against a Russian advance in our 'previous abstinence from entanglements' on the frontier, he talked excellent practical common-sense, based on the facts of a time when Russia was thousands of miles away, and when Asiatic railways and telegraphs were still in their infancy. To quote the bare words of Lord Lawrence without reference to their context, or the circumstances that called them forth, is what in a meaner politician [than Mr. John Morley] might be called a lack of candour, if it did not proceed from sheer ignorance.

On the face of it, all this seems plausible enough. But when one comes to the facts of the case, one finds that the *Standard* convicts *itself* either of lack of candour or of sheer ignorance. In a recent issue we dealt with the impossibility of a Russian invasion of India, citing some outstanding facts sufficient to support the conclusion that Russia cannot possibly attack India by way of the North-West. The *Standard* cites no facts. It simply assumes the nearness and the menace of Russia. True, Russia has pushed forward a few troops, at fearful sacrifices, as far as the northern border of Afghanistan. But, as we pointed out, Russia is, for all the practical purposes of an invasion of India, still as many thousands of miles off as she was in Lord Lawrence's time. Her telegraphs are useless without her railways; and what is the good of her single line of railway—liable to earthquake, sandstorm, flood, Turkoman attack—for the purpose of bringing men and commissariat for a couple of thousand miles to invade India? Such an expedition is only one degree less preposterous than an expedition to the moon. Let the *Standard*, or the Government, work out the scheme of menace in practical detail, and submit it to the public. It could only cover its author with ridicule.

Let us put the case once more in the briefest terms. Colonel Hanna's exposition, which we follow, has not been answered. It cannot be answered. Which way shall the Russians come? There are five possible routes, and five only: the Bolan, the Thal-Chotiali, the Gomul, the Kuram, and the Khyber. The Chitral route is too impracticable for bare mention. We must assume 100,000 or 150,000 troops. There is no real base for such a force anywhere east of the Caspian. But Kandahar is the nearest approximation. Now, the first route—Kandahar-Jacobabad-Multan—measures 605, 666, or 678 miles, according to the three possible lines of divergence from Jacobabad. Suppose Quetta abolished: otherwise the Russians could not possibly pass. The 59 miles of the Bolan Pass will expose the invaders to excessive heat or to fierce and sudden floods filling the gorges, to a path of shingle and grit, stones and small boulders, crippling the transport animals, and in many places to wading the river up to the waist. The 160 miles of plain to the Indus is arid desert or low jungle for 115 miles, and pestilential marsh for the remaining 45 miles. Water is scanty, and often brackish; and the distance can only be travelled by small detachments at one time. From Jacobabad each of the three routes is unhealthy and destitute of supplies; and, besides the Indus, another great river, the Sutlej or the Chenab, has to be passed, to say

nothing of numberless nullahs, which must be bridged for artillery. The second route—Kandahar to Multan—known as the Thal-Chotiali route, measures 459 miles. It traverses a hot, arid wilderness, and crosses (in the 43 miles from Dera Ghazi Khan to Multan) two branches of the Indus, the Chenab, and forty-five nullahs. How are these waters to be bridged? Besides, the route is utterly impracticable in winter; and "no European troops "could cross the desert, narrow as it is, by this "route between May and October." The third route—Ghazi to Multan, by the Ghwalari Pass, the Gomul River, and Dera Ishmael Khan—measures 666 miles. It is very little known. But this much is known, that "it is closed at one end by heat in "summer, and at the other end by cold in winter." Its physical difficulties are comparable to those of the Bolan; "it debouches into an arid desert, inter-"sected by ravines, ramifying into numerous fan-"like branches, which would oblige the invaders to "advance in long unwieldy columns, with a con-"tracted front." Then comes the Indus; and how to bridge it? But suppose the Indus crossed, there is yet fourteen days' march, through a country destitute of supplies, and intersected by fifty-nine nullahs, five of them branches of the Indus, and the Chenab as well. The fourth route—Kandahar to Rawal-Pindi, by Ghazni and Kabul, the Shutargardan and Peiwar Passes, the Kuram Valley, Thal, Kohat, and Kushalgarh—measures 649 miles. "There "need be little fear of an invasion by the Kuram "line," writes Sir J. Watson. Why? Because, in winter, "their advance would be marked by many "of the features of the French retreat from Mos-"cow—whole companies of men and mules and "camels buried in snowdrifts, or frozen to death in "their sleep." In summer the invaders would be scorched with sun and wind between Kandahar and Kabul, and thinned by floods, cholera, and fever in the Kuram Valley. But let the hypothetical invaders reach Kohat and Kushalgarh. How, then, will they bridge the Indus? Let them pass the Indus. Where, then, can they rest and reorganise, before attacking the fortress of Rawal-Pindi? And if they fail to take it, what then? How can they even exist? Sir Edward Hamley gives up the Kuram route for a different reason. "A column so "strong and well-equipped as to be independent "could not pass here; one that could not act inde-"pendently would scarcely venture." The fifth route—Kandahar to Peshawar, by Ghazni and Kabul, the Lataband, the Jugdalak, and Khyber Passes—measures 490 miles. This route debouches, not into a desert or a rough district, but into the fertile valley of Peshawar, and, except the Thal-Chotiali route, it is the shortest. But the same difficulties beset it with the Kuram, and the passes are more difficult and fatiguing than the Bolan. True, we might easily defend such a position as Lundi Kotal. But where is the use, when "a "fortified camp at the eastern mouth of the Khyber, "almost within sight of our base, Peshawar, would "seal it so effectually, that Sir Edward Hamley was "not exaggerating when he said that he did not "see how a single Russian regiment could ever "issue from it"?

Now these are the routes, and the Russians are welcome to their choice. Except in the last case, we have not intimated any British opposition at all. Consider what an invasion by a modern army means, and let the Russians trudge these hundreds of miles from their quasi-base at Kandahar—or elsewhere—without any opposition from our troops. They would not be much to look at when they reached the Indus. But one must assume that they will meet with opposition, and harassing if not absolutely destructive opposition, from the tribesmen on the way—that is, if we do not persist in alienating the tribesmen. Finally, they have to meet British troops at whatever point on the route we may choose to challenge their progress. The advantages of being near our base and of allowing the Russians to wear themselves out in a struggle with physical difficulties and with the tribesmen are not a whit less strong now than they were in the days of Lord Lawrence. Every yard we advance to meet them, now as then, is an advantage to them, and a disadvantage to us. The argument of Lord Lawrence is, therefore, as valid to-day as ever it was, and we challenge the *Standard* and the Government to support by argument their ridiculous assertion that a forward movement is necessary or in any way advantageous. On the grounds of mere physical difficulty alone—to say nothing of the mere impossibility of bringing up commissariat for 100,000 or 150,000 men—a Russian invasion is ludicrously impracticable, and to assert it without proofs is mere impudence. On November 10, Lord George Hamilton, speaking at Acton, briefly indicated "the "main objects we should try to attain." His ideas may appear to the unsophisticated observer to fall short of the aspirations of the *Standard*. Lord George said:

In the first place, let us concentrate our strength and attention on those *routes and positions only which are essential to the fulfilment of our obligations*, and thus avoid dispersion of forces and annexation of territory. Elsewhere let us take the general submission rendered to us by the tribes as an acknowledgement of our supremacy and interfere otherwise as little as possible. Every means must be taken to check and curtail the traffic in arms, and, on the other hand, *every legitimate opportunity utilized for opening up roads and communications.* We could then trust to what I would term the automatic forces of civilization which are in our wake—trade, commerce, increase of comforts and wealth, security of life and property—to gradually work their way and win these tribes from the murderous and predatory instincts of the past.

Mighty benevolent, to be sure. As if the murderous and predatory instincts of the tribes had anything to do with the matter at all, if we would only let them alone. But one wishes one could believe that the military party in Calcutta will allow us to "interfere as little as possible" with the tribesmen. On the face of it, no doubt, it looks like a sign of a remnant of grace that "annexation "of territory" is to be avoided. But if so, what is the meaning of concentrating our strength and attention on "those routes and positions" that are "essential to the fulfilment of our obligations"? Our obligations to protect India? And the Amír? Lord George Hamilton on his own frank admission prepares us for British occupation of forts in the conquered districts and the opening up and maintenance of more roads like the one to Chitral. That

is the "forward" school all over. As likely as not we shall be asked to establish a strong post in the Tirah, where our soldiers might find a bracing relief from the relaxing climate of Peshawar and Rawal Pindi, and our benevolent road-making would smooth the way for the Russian invasion we are labouring so hard to invite. At the same time, these posts would be a constant irritation to the tribesmen whom we wish to conciliate, and a fearful drain on the Indian exchequer, which is already all but dry. And this, if you please, is a settlement to take credit for! This is Imperial statesmanship. *Quos Deus vult perdere prius dementat.* The future is on the knees of the gods, and one could only look forward with the resignation of dismay if one did not perceive a remarkable awakening of public opinion in this country against the "forward" policy. That awakening should be complete when it is realised—as we venture to think it soon will be—that it was mere prudence which prevented Lord G. Hamilton from employing the term "annexation," and that much the same thing, from the military point of view, is to be attempted under another name.

MR. TILAK'S APPLICATION TO THE PRIVY COUNCIL.

THE Lord Chancellor, with the fastidious delicacy which has marked his public career, was careful to be present on November 19 at the hearing of Mr. Tilak's application before the Judicial Committee of the Privy Council. In the October issue of INDIA we endeavoured to remove two misconceptions which were at that time prevalent in the newspapers—namely, (1) that it was competent for the High Court of Bombay finally to determine whether an application might or might not be made to the Privy Council; and (2) that the jury in Mr. Tilak's case necessarily consisted of equal numbers of Englishmen and Indians. "If," we wrote, "such an application should be made, the Privy Council would "probably hear it." The anticipation has proved to be accurate, while as regards Mr. Tilak's jury it is now known to have consisted of six Englishmen and three Indians. There were two respects in which the English and the Indian sections of the jury differed. The English members did not understand the Marathi language in which the incriminated articles were written. The Indian members were familiar with it. The English members declared Mr. Tilak to be guilty. The Indian members declared him to be not guilty. The verdict of the majority prevailed, and Mr. Tilak was sentenced to eighteen months' "rigorous" imprisonment. A verdict of this kind would have called for close scrutiny under any circumstances. But under the extraordinary circumstances of the time, and especially after the remarkable summing-up of Mr. Justice Strachey, it was naturally received in this country with great uneasiness and suspicion. Mr. Justice Strachey's interpretation of the law provoked remonstrances from all sections of the British press, without distinction of party, and even friendly critics approved it not as a judicial pronouncement but as a piece of political expediency. Considerations like these render the decision of the Judicial Committee at first sight specially important. But it is well to remember (1) that the decision was not accompanied by any statement of reasons; and (2) that we do not know how many members of the Judicial Committee agreed with every word of the decision as announced by Lord Halsbury. The Lord Chancellor, who was lately reproved by Mr. Asquith for a startling exercise of political patronage, may be the most impartial and magnanimous person in the world. But, as many of the newspapers promptly pointed out, it was to say the least of it unfortunate that a member of the Cabinet which was responsible for the Poona prosecutions should have been the spokesman of the Privy Council's refusal to grant leave to appeal. The Court consisted of the Lord Chancellor, Lord Hobhouse, Lord Davey and Sir Richard Couch. The decision to refuse the application may conceivably have been the decision of only two members of the Court, backed by the casting vote of the Lord Chancellor. Be this as it may, we should be greatly surprised if it were the case that either Lord Hobhouse or Lord Davey endorsed Lord Halsbury's entirely gratuitous and really amazing tribute to Mr. Justice Strachey's summing-up.

Mr. Asquith's brilliant and incisive speech, which we report fully in our Special Supplement, seems to the mere layman to reduce Mr. Justice Strachey's summing-up to sheer absurdity. Let us look at Mr. Asquith's leading points in the light of the Lord Chancellor's formula, which was as follows:—

> Their Lordships are of opinion, taking the view of the whole of the summing-up, which is of very great length, that there is nothing in that which, in their Lordships' opinion, calls upon them to indicate any dissent from or necessity to correct what is therein contained, looking at the summing-up as a whole, and looking at each part of what was said by the light of what else was said.

The Lord Chancellor's English is curious. But his meaning is unmistakeable. He is of opinion that Mr. Justice Strachey's interpretation of the law was in its essential features sound and good. Now, what were its essential features—in other words, were there any obvious errors in those parts of it which are not, and cannot be, modified "by the "light of what else was said"? We confess that, in spite of Lord Halsbury, we are perverse enough to think that there were, and that Mr. Asquith's speech abundantly proved that there were. Section 124A of the Indian Penal Code, under which Mr. Tilak was brought to trial, imposes a penalty upon a man who "excites or attempts to excite feelings "of disaffection to the Government established by "law in British India." There is, however, an "Explanation" added to the Section, which runs as follows:—

> Such a disapprobation of the measures of the Government as is compatible with a disposition to render obedience to the lawful authority of the Government, and to support the lawful authority of the Government against unlawful attempts to subvert or resist that authority, is not disaffection. Therefore the making of comments on the measures of the Government with the intention of exciting only this species of disapprobation is not an offence within this clause.

Clearly the crucial point here is the distinction

drawn between disapprobation which is legitimate and disaffection which is criminal. We pass over Mr. Justice Strachey's astounding definition of disaffection as "the absence of affection"—though it is to be noted that, while he purported to be quoting from Sir Comer Petheram, what Sir Comer spoke of was "the contrary of affection," a very different thing. We do not press this point because it may perhaps be regarded as of minor importance "by the light of what else was said." But can that excuse be made to extend to the judge's demarcation of what is legitimate criticism and of what is disaffection? Here, at any rate, we see no possibility of an answer to Mr. Asquith's searching and luminous argument. The argument, which may be described as common sense put incisively, is simply this: that the criterion of legitimate criticism is, in the words of the "Explanation," compatibility with "a disposition to render obedience to the lawful authority of the Government." Those, as every intelligent reader must, one would think, instantly perceive, are the essential words of the "Explanation." It is not Mr. Asquith alone who so regards them. Sir James Stephen himself, who was responsible for this portion of the law, explained its meaning in these simple words: "You may say what you like about any Government measure, you may publish or speak what you please, so long as you say or write what is consistent with a disposition to render obedience to the lawful authority of the Government."

It is not too much to say that the cardinal feature of Mr. Justice Strachey's summing-up was a flat disregard of these essential words of the "Explanation." According to his view of the law, all else in the "Explanation" is superfluous and otiose except the word "measures." The criterion of legitimate criticism, on his theory, is not the intention of the critic and the consequences of his criticism—it is not "compatibility with a disposition to render obedience to the lawful authority of the Government"—it is simply and solely that the criticism is directed against "the measures of the Government" and not against "the Government itself." It is this thread that colours the whole fabric of the summing-up. Nor is it in the smallest degree modified "by the light of what else was said." Mr. Justice Strachey says in effect: "You may criticise as bitterly, as ferociously, and as unfairly as you please any specific administrative or legislative measure of the Government; but the moment you pass from criticism of this kind to any adverse criticism of the Government itself, you pass from the region of the legitimate into the region of the criminal, no matter what the purpose or the effects of your criticism may be." Mr. W. C. Bonnerjee, in the article which he contributed to our issue of November, drew attention to the metaphysical subtlety of this distinction between "the measures of the Government" and "the Government itself" and asked what the latter phrase included:—

Do the words only mean the Governor and his Executive Council, or do they mean all persons entrusted with legislative, executive, and judicial functions? If the words 'the Government itself' are to be taken as meaning all these persons, then, according to Mr. Justice Strachey, ridiculing a policeman on his beat and so holding him up to the contempt of the bystanders would apparently be sedition.

What possible answer is there to this *reductio ad absurdum*? Besides, Mr. Justice Strachey's interpretation of the law cuts both ways. That is to say, it appears equally paradoxical whether one considers its stringency regarding criticism of "the Government itself" or its laxity regarding criticism of "the measures of the Government." Surely criticism of Government is criticism of Government measures, and criticism of Government measures is criticism of Government. "By their fruits ye shall know them." How, for example, can one apply the epithets extravagant, wrong-headed and suicidal to the "forward" frontier policy without applying them *pro tanto* to the Government which is responsible for that policy? One cannot help thinking that by far the more serviceable as well as more rational criterion of legitimate disapprobation, as distinguished from criminal disaffection, is not that the subject matter of it admits of being labelled with a particular description, but that the intentions which animate it and the disposition which it is calculated to excite are of a particular kind—compatible, that is to say, with obedience to lawful authority. But Mr. Justice Strachey's summing-up appears to have been vitiated by a totally wrong conception—not made any the less wrong "by the light of what else was said"—of the function which the "Explanation" was intended to discharge. He treated the "Explanation" as an "exception"—in other words, as an exhaustive enumeration of cases not to be included within the scope of the section. He placed the emphasis, and the whole emphasis, upon the word "measures," interpreting that word in a special and narrow sense. Apart from the objection which we have already urged against this view, there are two further objections which, although subsidiary, are worth noting. In the first place, Mr. Justice Strachey's interpretation reduces all the second part of the "Explanation" (that is, from the word "therefore" onwards) to a ridiculous superfluity. In the second place, "Explanations" abound in the Indian Penal Code, and it does not require a profound knowledge of the Code to perceive that, if every "Explanation" were to be interpreted as Mr. Justice Strachey has interpreted this one, the result would be absurd confusion. No impartial observer, we think, can suppose that Mr. Justice Strachey's interpretation of the law will stand. But, if this were not so, and if Lord Halsbury's *obiter dictum* were to be treated seriously, it would obviously become necessary to amend the Penal Code, and to re-state in still less unambiguous words the real meaning of those who framed the "Explanation" to Section 124A.

SIR H. FOWLER BREAKS SILENCE.

We called attention last month to the curious silence of Sir H. H. Fowler, M.P., at a time when some of his colleagues in the late Liberal Cabinet, and many independent members of the Liberal party, were denouncing the present costly and sanguinary war beyond the North-West Frontier, and explaining the grave responsibility of

Lord Salisbury's Government in the matter. Sir Henry Fowler, we are glad to say, has at last broken his remarkable silence. The long and, in many respects, admirable speech which he delivered to his constituents on Saturday, November 20, is fully reported in another part of our present issue. Before we pass on to consider the more important topics with which Sir Henry Fowler dealt, it may be well to refer briefly to a rather striking sentence which occurred towards the close of his address. He is reported to have said:—

> I have always done my utmost to keep Indian affairs outside the range of party controversy. I have felt it to be my duty, though at the cost of the most unscrupulous misrepresentation, to support in legislation and administration the Indian policy of the Government when I have considered it on the whole to be right.

Misrepresentation must indeed be unscrupulous when it censures a statesman for supporting a policy which he considers to be right. But Sir H. Fowler appears to overlook the fact that he has frequently been criticised—in these columns and elsewhere—for failing to attack a policy which he undoubtedly considered to be wrong. We refer especially to his strange lack of vigour throughout the past two-and-a-half years in dealing with the two important departments of policy in which the decision of his colleagues and himself was flatly and hastily reversed by their successors—we mean in the matter of Chitral, and (though this was a less glaring case) in the matter of the Cotton Duties. Lord Salisbury's Government, having determined upon a reversal of the policy of their predecessors with regard to Chitral, met Parliament, after the General Election, on August 15, 1895. But Sir Henry Fowler not only did not take the opportunity of moving an amendment to the Address, but actually did not make any speech at all on the subject of Chitral. More than that, he walked out of the House of Commons when Sir W. Wedderburn's amendment, calling for the evacuation of Chitral, was about to be reached. The result was that Mr. Balfour was able to appeal to Sir W. Wedderburn to postpone his amendment, and succeeded ultimately in closuring it before it was discussed, on the ground that "the late Secretary for India "has left the House." The next opportunity for debate arose on September 3, 1895, on the motion for going into Committee on the Indian Budget. On that occasion Sir H. Fowler did, indeed, make a speech. But he did not move an amendment, nor take a division; and a critic so friendly and conspicuously fair as the *Manchester Guardian* wrote: "we do not profess to understand so spiritless "a proceeding." The worst of the spiritless proceeding—or as we termed it, "blank cartridge"—was that it prevented the Liberal members below the gangway, who had an amendment on the paper, from taking a division. The next opportunity for discussion occurred at the meeting of Parliament in 1896. In the meantime Lord George Hamilton and his colleagues had carried out their revolutionary policy in Chitral. But again Sir H. Fowler made no sign, and although Sir W. Wedderburn moved an amendment condemning the occupation of Chitral, and regretting above all the violation of the Viceroy's proclamation to the tribesmen, Sir H. Fowler would not take any part in the debate. Yet it was this debate that extracted from Lord George Hamilton the ridiculous speech on the blessings of the "forward" movement which has since proved invaluable to the critics of the "forward" policy.

Sir H. Fowler's behaviour with regard to the reversal of his policy upon the Indian Cotton Duties has been much the same. In Parliament and in the country, on both of these important questions, he has shown all along the most amazing reluctance to criticise the policy of his successor. It was hardly, therefore, to be wondered at that Lord George Hamilton, in his *apologia* of November 10 last, after referring to the vigorous and well-timed denunciation of his Chitral policy by Mr. John Morley and Mr. Asquith, used these suggestive words:

> I am glad to know that Sir H. Fowler is for the future to have charge of this question. He is a gentleman to whom I am much indebted for the support I received, not only in the House of Commons but also elsewhere, on all serious questions affecting India, and I am confident that he will say nothing which will either reflect on the character of the Viceroy or add one iota to his troubles.

This was, it seems to us, a singularly maladroit attempt on Lord G. Hamilton's part to draw a red herring between Mr. Morley and Mr. Asquith on one side and Sir H. Fowler on the other. On the following day the *Daily News* and the *Daily Chronicle* published an amusing paragraph denying, "on the best authority," that there was any truth in the suggestion that Sir H. Fowler differed from his colleagues on the Front Opposition Bench on the Chitral question. Sir H. Fowler's speech of November 20, although it was greeted with some appearance of jubilation by the *Times* and the *Standard*, seems on the whole to substantiate this announcement. So far, at any rate, as the future is concerned, Sir H. Fowler plainly agrees with Mr. Morley and Mr. Asquith that the policy of the entire Liberal party with reference to the North-West Frontier is, and must be, the policy of Lord Lawrence. There is one passage in the admirable concluding portion of Sir H. Fowler's speech for which we are peculiarly grateful. He said:

> On political, on financial, on administrative grounds, as well as upon the strategical grounds on which I am not competent to speak, but with respect to which I know the opinions of some of the greatest soldiers in Her Majesty's forces, we oppose the policy, *however disguised*, which means the occupation and the annexation of the vast tract of country now held by the tribes on the north-west.

That is the point—"we oppose the policy *however dis-"guised.*" Lord G. Hamilton said in his speech of November 10, "let us concentrate our strength and "attention on those routes and positions only which are "essential to the fulfilment of our obligations, and thus "avoid dispersion of force and annexation of territory." Lord G. Hamilton deprecated "annexation," and the *Daily News* and the *Westminster Gazette* fell into the trap. Sir H. Fowler knows better. He knows that the "forward" school is far too prudent and old-fashioned to advocate "annexation." He knows that the "forward" school seeks to attain its ends under more specious names which throw dust in the eyes of the discerning British elector. He therefore bids us, and bids us rightly, oppose the "forward" policy "however disguised."

On the second and subsidiary topic of the "breach of faith" involved in the retention of Chitral Sir H. Fowler's speech was, as it was bound to be, less satisfactory. But here let us, at once, get rid of some of the cobwebs which have gathered about this topic in discussions in party newspapers. The issue is, obviously, a plain and simple issue of fact. When the Government of India in March, 1895, was about to despatch an expedition for the relief of Dr. Robertson and his force in Chitral, it issued, not merely to the peoples of Swat and Bajaur, but also to the tribesmen of the border generally, a proclamation guaranteeing that there should be no permanent occupation of territory, and no interference with the independence of the tribes. When the work of relief had been performed, Lord Salisbury's Cabinet, hastily reversing the policy of their predecessors, ordered the occupation of Chitral, the construction of a military road from Peshawar to Chitral, and the fortification of military posts at Chakdara and the Malakand. In ordering this policy, Lord Salisbury's Cabinet violated the proclamation of March 14, 1895. They perpetrated, in

Mr. Asquith's just and accurate words, "a gross breach "of faith." That is a matter of fact and of history which no arguments or theories about the policy which any other persons did or did not contemplate or discuss can ever in the slightest degree modify. But now observe the argument adopted by Lord G. Hamilton and by the leader-writers of the *Times* and the *Standard*. These gentlemen set out to prove that Sir H. Fowler, as Secretary of State for India, spent a considerable time in debating with himself and others whether *he* should sanction a policy involving a like breach of faith. They therefore proceed to the really grotesque conclusion that Lord G. Hamilton and his colleagues cannot possibly have been guilty of a breach of faith, because, if you please, Sir H. Fowler and *his* colleagues contemplated, in their judgement, a similar breach of faith. It is as if a prisoner caught red-handed should seek to excuse himself on the ground that some other person had contemplated, but on mature consideration had refrained from, the same crime. Now, for those who, like ourselves, owe, so far as India is concerned, no allegiance to any political party—who are not bound *jurare in verba magistri*—this mode of reasoning is obviously devoid of the slightest shred of value. The whole force of it, so far as it has any force at all, is to suggest that Sir H. Fowler, being tarred—or, at any rate, having taken an unconscionably long time before making up his mind not to be tarred—with the same brush as Lord G. Hamilton, cannot decently accuse Lord G. Hamilton of breach of faith. But even if this point were good against Sir H. Fowler, it would not be good against even his colleagues in the late Liberal Government; and it is merely absurd as against unofficial Liberals, and the great mass of impartial observers here and in India. After all, these personal recriminations are only of infinitesimal importance. Nothing—certainly not a thoroughly contemptible and cowardly endeavour to shift the responsibility to the subordinate Government of Lord Elgin—can obliterate the act of perfidy for which Lord Salisbury's Cabinet has made itself responsible. As for Sir H. Fowler, we think that, upon the whole, he clears himself tolerably well. He took, no doubt, as we pointed out over and over again in May, June and July, 1895, an unnecessarily and suspiciously long time to decide that he would insist upon the observance of the Viceroy's proclamation. Nor does he improve matters from his own personal point of view when he tells us, as he does now, that "the question was primarily a military one." But when all is said and done, the fundamental fact remains that in the long run he resolved upon a policy consistent with the proclamation, while Lord G. Hamilton lightly and hastily gave his mandate for a policy flatly at variance with the proclamation. Sir H. Fowler's excuse for his dilitoriness is, it seems to us, worthy of consideration. He says in effect that he was assured by the Government of India that the tribes were perfectly willing to make a friendly bargain by which they would forego part of the rights guaranteed by the proclamation. Before dismissing the suggestion he consented that the prospects of such a bargain should be enquired into. But he never doubted that a really peaceable bargain of that kind could *not* be made, and subsequent events have proved terribly enough that he was right. They have, by the same token, proved that his successor was inexcusably wrong.

CRUELTY TO LORD G. HAMILTON.—The *Standard* wrote in a leading article on September 25; "there are few reverses among those which have interrupted our record of success in India that might not be traced to the error of placing men in positions for which they are not conspicuously fitted."

THE PUBLIC DEBT OF INDIA.

IN the year of the Queen's accession the debt of India was a small matter. In 1840 the total Debt and Obligations of the Government of India amounted only to Rx. 32,750,000 raised in India and £1,734,000 raised in England. On March 31, 1896, these burdens had grown to Rx 118,500,000 and £114,000,000 respectively. During the sixty years Rx. 86,000,000 and £112,000,000 of debt have accumulated. In those same sixty years the National Debt of the United Kingdom has diminished from £850,000,000 to £650,000,000. In other words, £200,000,000 of debt have been dissipated. The contrast is striking, but misleading. Let us examine the matter somewhat closely and see how far the implication, which the comparison between the two countries conveys, is justified by the facts, stripped of ambiguous circumstances.

In the first place, the year 1840 is a bad point of departure, as the fundamental change of Government, from the East India Company to the Crown, in 1857 makes it impossible to institute legitimate comparisons in financial matters between years divided by that change. Nor would 1857 or 1858 be a desirable point of departure. India was then in the throes of the great Mutiny, which, happening under John Company's rule, had to be paid for in the first years of the new government. In the three years 1857-8—1859-60, there were deficits of Rx. 7,860,000, Rx. 13,580,000, and Rx. 10,770,000, making Rx. 32,210,000 in the aggregate; and the total debt, if one reckons the rupee at par, increased from Rx. 59,500,000 to Rx. 98,100,000. There was a further rapid increase in the next two years—when the total debt reached Rx. 107,500,000—followed by as rapid a decline to Rx. 98,500,000 in 1864. The year 1860, therefore, seems to be a reasonable point from which to set out in an investigation of the growth of Indian indebtedness under British rule.

In the next place, one must bear in mind that the National Debt of the United Kingdom and the Public Debt of India are not alike in all things, and, therefore, not comparable without qualification and analysis. The former is almost entirely a war debt pure and simple, representing unreproductive expenditure of public money in the past. The latter is largely made up of capital expenditure on public works of a more or less reproductive nature, chiefly railways and irrigation works. The matter is further complicated. A large portion of the Indian railway debt has been raised in sterling, the interest on which, owing to the heavy fall in the exchange value of the rupee, has become a crushing burden on the railway undertakings of Government. Thus these "reproductive" public works do not, as a matter of fact, pay their way. Now the burden of a National Debt is the annual interest charge. If capital invested in public works cannot or does not earn the necessary interest the practical result to the taxpayer is not easily distinguishable from that which supervenes on an increase of unreproductive debt—taxes must be imposed to pay the annual charge. Keeping these considerations in mind, one

may now analyse the growth of the Indian Public Debt from the year ended April 30, 1860, to the year ended March 31, 1896.

The following table shows how the debt has grown in the last thirty-six years:—

PUBLIC DEBT OF INDIA.

Year.	In India. Funded.	Unfunded.	Total.	In England.
	Rx.	Rx.	Rx.	£
1860	—	—	71,969,460	26,138,000
1866	63,564,999	7,872,252	71,437,251	26,946,400
1876	72,772,981	7,318,023	80,091,004	49,797,033
1886	92,703,982	8,013,498	100,717,480	73,806,621
1896	103,788,928	14,646,368	118,435,296	113,903,732

In the above table the important points are these. The increase of the unfunded debt is more than accounted for by the growth of Savings Bank Deposits from nothing in 1860 and 1866 to Rx. 11,296,909 in 1896. Practically the debt was stationary from 1860 to 1866, so that the whole increase since 1860 has taken place in the last thirty years. In the last thirty years, that is, since 1866, no less than forty crores of rupees—Rx. 40,000,000—have been added to the funded debt in India, and £87,000,000 to the sterling debt in England. These are gigantic sums borrowed in a very short period of time. Let us see what India has to show for these loans.

Prior to 1867-8 the Government of India's capital expenditure on railways and irrigation works had all been met out of revenue—[see Finance and Revenue Accounts of the Government of India for 1895-6, at p. 195]—consequently the public debt of India in 1866 may be taken to be a debt unreproductive in character, and of the kind which it is desirable to diminish rather than increase. Since 1866 the following sums have been spent on the construction of railways or irrigation works, or in the purchase, etc., of railways—from borrowed money, *i.e.*, from money "not charged against revenue"—namely, Rx. 96,746,735 and £33,553,451. The account, then, stands thus:—

New debt created since 1866 ..	Rx. 40,000,000	£87,000,000
Invested in reproductive public works since 1866	96,750,000	33,500,000
Reproductive capital expenditure greater (+) or less (—) than increase of debt	+ Rx. 56,750,000	—£53,500,000

The position, then, is this. In thirty years the Government of India have raised £53,500,000 of sterling debt for general purposes over and above some £33,500,000 incurred specifically in purchase or in redemption of liabilities, *i.e.*, purchase, etc., of railways. Out of this £53,500,000, *producing at the different rates of exchange prevailing at the times the different portions of this total sum were raised far more than Rx.* 53,500,000—out of this £53,500,000, Rx. 56,750,000 has been applied to the construction of reproductive public works. What has become of the balance? We will illustrate our meaning.

During the 11 years 1884-5—1894-5, the sterling debt of India was increased by some £46,000,000, made up of yearly borrowings varying in amount from nothing to nearly £11,000,000. Of this total only about £22,000,000 was incurred specifically for the purchase, etc., of railways. The remaining £24,000,000 was, to all intents and purposes, first remitted to India and then spent on public works there in rupees. Clearly in recent years £1,000,000 remitted to India would produce more than Rx. 1,000,000. Thus, in 1894-5 £5,892,034 of sterling debt was raised. This at the average rate of exchange for the year (1 rupee=13·0d.) was the equivalent of Rx. 10,802,812. A simple calculation for each year 1884-5—1894-5 will show that in the aggregate this £24,000,000, borrowed in England, practically produced Rx. 36,000,000 in India. Obviously, if £1=Rs. 16, £1,000,000 sterling raised in England, whether applied to the ordinary purposes of Government or to redeeming debt (whether gold or silver), and whether remitted to India or used in reduction of the Secretary of State's drawings in bills on India, must either produce Rx. 1,600,000 in India on exchange, or—which comes to the same thing—set free that amount in the hands of the Government of India for other purposes. Roughly speaking, then, and taking into account the fluctuations in the rate of exchange, the £53,500,000 added to the general gold debt since 1866 may be taken to have produced at least twenty crores over and above its par equivalent in rupees—in other words, a total sum of Rx. 73,500,000.

What then has happened is this. The Government of India has to account for an addition to the debt in thirty years of Rx. 40,000,000 and £87,000,000. If these two sums of different denominations are unjustifiably added together—*a practice in favour at the India Office*, (see p. 195 of the Finance Accounts quoted above)—and called Rx. 127,000,000, and a set-off claimed for Rx. 130,250,000 expended on public works, it looks as if more money had been invested in reproductive public works than had been added to the debt—as if, in fact, the unreproductive debt had been reduced by an aliquot transfer to the reproductive category of this apparent difference of Rx. 3,250,000 in favour of the Government of India. This, and far more than this, is indeed the claim put forward by the Government of India. But analysed as we have analysed it the matter works out as follows:—

APPLICATION OF DEBT CREATED 1866-96.

Sterling Debt created for and applied to specific reproductive outlay	£33,500,000
Balance of sterling debt raised, namely, £53,500,000, and applied to Rupee expenditure, equals, say	Rx. 73,500,000
Add new Rupee debt created since 1866	Rx. 40,000,000
Total new debt to account for ..	Rx. 113,500,000
Invested in reproductive public works over and above specific sterling capital outlay shown above	Rx. 96,750,000
Increase of Debt uncovered by reproductive capital outlay ..	Rx. 16,750,000

Nor is this all. To this must be added the increase of Rx. 7,000,000 in the unfunded debt, which is as much debt as the funded portion. In this way, one arrives at a total increase of public debt of Rx. 23,750,000, over and above such increase as has been invested in reproductive public works. Where has that money gone? We put the question in this form because owing to a series of operations with the sterling and rupee debt on the one hand, and reproductive and unreproductive debt on the other, the Government of India claim to show a reduction in the unreproductive debt, as thus:—

CLASSIFICATION OF PERMANENT DEBT IN INDIA AND IN ENGLAND.

	Public works.	*Other purposes.*	*Total.*
		Rx. and £.	Rx. and £.
1866....	——	63,564,999	63,564,999
1896....	154,227,544	63,465,116	217,692,660

Now this extraordinary result has been brought about in the main by treating Rx. 1,000,000 spent in India on public works as a set-off to £1,000,000 of debt raised in England. Seeing that each million pounds has during the last ten years produced anything from Rx. 1,300,000 to Rx. 1,800,000, the question arises, what has been done with the product of exchange?

There is yet another point. Since 1866 over eighteen crores—Rx. 18,000,000—have been invested in railways or irrigation works out of revenue. In some mysterious way this capital is charged with the current rate of interest on the Government debt, and debited to the railway undertakings, but credited to the general debt account, with the result that this latter is made to wear an unduly favourable aspect. Altogether, look at it how we may there is something which wants a good deal of explanation in connexion with the rapid increase during the last 30 years of the Indian Public debt. Here is a final summary of the figures.

THE INDIAN DEBT AND PUBLIC WORKS EXPENDITURE, 1866—1896.

Moneys received.		*Moneys invested.*	
Loans specifically appropriated ..	£ 33,500,000	Expenditure ..	£ 33,500,000
Balance of sterling loans, *i.e.*, £53,500,000 =	Rx. 73,500,000	Public works ..	Rx. 96,750,000
Rupee loans ..	40,000,000	Do. from revenue ..	18,000,000
Increase unfunded debt	7,000,000	Balance to be accounted for ..	23,750,000
From revenue ..	18,000,000		
	Rx. 138,500,000		Rx. 138,500,000

Towards this sum of nearly twenty-four crores (Rx. 24,000,000) the net deficit of the thirty years only contributes a crore and a half, Rx. 1,530,000. How then has all this money, the product of a low exchange, been absorbed? In the limits of a single article it is not possible to do justice to so difficult and intricate a subject as the Indian debt, but we have said enough to show that the subject is well worth study. We hope to return to the subject "in another place" in the near future.

"ENGLAND AND INDIA."

MR. ROMESH CHUNDER DUTT'S SUGGESTIONS FOR THE FUTURE.

"The object which we placed before ourselves in undertaking this little work was to show that the administration of India is determined by the current of opinions in England, that progress in India is stimulated by English progress, and that the history of India under British rule is shaped by those great influences which make for reforms in Europe." So writes Mr. Romesh Chunder Dutt in the concluding chapter of his little volume "England and India," which has lately been published in London by Messrs. Chatto and Windus. Mr. Dutt undoubtedly proves his point, and very many readers in England and in India will, we hope, make themselves familiar with his vigorous survey of progress in India during the past hundred years. To our thinking, however, the most interesting part of his book is his series of suggestions for the future. These are given in his concluding chapter, which might well be reprinted in pamphlet form and circulated widely both in England and in India.

"A GREAT CONSOLATION."

Mr. Romesh Chunder Dutt, we may remind our English readers, is no fanatical partisan, nor ignorant amateur. He is one of those formidable people who are called "experts." An Indian member of the Indian Civil Service, he attained the high posts of Officiating Commissioner in Orissa, and Superintendent of Orissa Tributary States in India. He was for some time a member of the Legislative Council of the Lieutenant-Governor of Bengal, and his books upon "Civilisation in Ancient India" and kindred subjects have made his name well known to serious students of Indian affairs. What such a man has to say with reference to the future of British administration in India deserves a respectful and attentive hearing. "India," he says, "has advanced with England, has occasionally blundered with England, but has in the long run moved onwards, however slowly, in the path of progress chalked out by England."

To the people of India (Mr. Dutt continues) this is a great consolation. We feel assured by the knowledge that we have thrown in our lot with a nation, not only one of the greatest on earth, but also one of the most progressive. We feel assured by the belief that, under the wise dispensation of Providence, the progress of England is our progress, England's gain our gain. And we feel assured by the idea, which is as true as it is encouraging, that every generation of English statesmen necessarily exert their influence on Indian administration, that their endeavours stimulate our progress, their successes lead to our reforms.

INFLUENTIAL POLITICAL BODIES.

Mr. Dutt takes his stand neither with the forlorn and faint-hearted pessimists nor with the extreme and unreasoning optimists. He prefers the safe middle ground of rational optimism. The unreasoning optimists desire no further progress. They are annoyed by any criticism, however moderate. In their view, a thoughtful Indian is disloyal and political bodies are necessarily seditious. Mr. Dutt

thinks that unreasoning optimism makes a mistake here.

Rightly viewed, the influential political bodies in India are the strongest supports of the British rule. Those bodies consist of the leaders of the Indian communities, educated, intelligent, loyal by their own interests, interpreters between the rulers and the people, men who have everything to gain by the continuance of the British rule, men who have staked everything on that rule, men who have everything to lose by the severance of India from England. Their view of things is not always the official view; and it is a gain, therefore, when the official view is so constantly and prominently placed before the public, that the non-official view should also find some expression. Their criticism is not always pleasant to officials; but public criticism is always beneficial to the cause of good government, and it is a notable fact that the administration is purest in those parts of India where public criticism is the strongest. They do not speak with the knowledge of details which officials can justly lay claim to; but their general views and opinions are not necessarily wrong, and it is a gain to know what the views of the leaders of the people are. It would be a wise policy, therefore, to treat the influential political bodies in India with courtesy and respect even when their suggestions cannot be accepted; it would be an unwise policy to repress or discredit them in the eyes of the nation. To discredit or repress them would be to allow opportunities to wilder spirits, who are kept down by the influence of the educated classes. It would be exchanging criticism which we hear, and methods of work which we see, for less educated and less legitimate criticism which we shall not hear, and darker methods of work which we shall not see. The worst enemies of England could not devise a policy more disastrous to her interests; and sections of English politicians and of the English press, which are seeking to discredit and repress the movements of the educated, loyal, and intelligent communities of India, are playing into the hands of England's enemies, and are creating difficulties for the British rule in India.

"THE POVERTY OF INDIA."

Mr. Dutt says that the gravest difficulty which English administrators in India have to face lies in the extreme poverty of the mass of the people. Four-fifths of the population depend upon agriculture, and except in Bengal, which is blessed with the permanent settlement, most of them are in the hands of money-lenders. No doubt official figures point to an increase of what is called "the trade of India." But this (as, by the way, Mr. Dadabhai Naoroji has never ceased to contend) is really English trade with India and in India:

Among the many blessings which England has conferred on India, the encouragement of Indian industries is not one. The increase in the value of imports into India really means that the manual industries of India have died out in an unequal competition with the steam and machinery of England. And the increase in the value of exports from India means that vast quantities of food and raw material have to be sent out from India to pay for imported English goods. In the early days of the Company's rule, fabrics produced by Indian weavers supplied the markets of Europe, and men still living can remember the days when every village in the weaving districts had its looms, and millions of Indian weavers were supported by that profitable industry. How this industry was gradually strangled and destroyed, first by protective duties imposed on Indian goods in England, and then by an unequal competition; how Indian weavers who were content with threepence or fourpence a day found themselves ruined by the cheaper products of English looms; and how the weaver communities of India were compelled to abandon their trade, and to depend on agriculture or petty trade, or on humble and ill-paid appointments in public or private offices—all this forms one of the saddest chapters in the history of British India. What happened to the weavers has also happened to the other industrial classes.

Similarly, railways and carrying steamers in India have been constructed with English capital, and the interest and profit come to England, and if new products like tea are now grown in India they are grown mostly by English companies. "Trade and public works, carried on or constructed in a country with its own capital, are evidence of the material prosperity of the people. In the case of India they are profitable investments of English capital, and while they undoubtedly benefit India in a variety of ways, they have not secured the object of materially improving the condition of the agricultural and artisan classes in India."

THE FIRST REMEDY—PERMANENT SETTLEMENT.

The first remedy which Mr. Dutt suggests is a permanent limitation of the State demand from the soil. This remedy was adopted in Bengal by Lord Cornwallis a century ago, and was proposed by Lord Canning for all India after the famine of 1860.

So long as fresh revenue settlements are made every thirty, twenty, or fifteen years, securing an increase in the demand from the soil, it is idle to talk of improvement in the material condition of the people of India. A severe famine is desolating the greater part of India in the present year, but the settlement officer is still at his work. A large increase in the State demand has been obtained from the Central Provinces of India and a large increase is expected in the Provinces of Orissa, where settlement operations are now proceeding. It were well if the people of the Central Provinces and of Orissa were assured that this large increase is the last, that henceforward England desires the cultivators of India to reap the increase in the income from the soil. A permanent limitation to the State demand from the soil would be a fitting gift from their gracious Queen-Empress in this year of the Diamond Jubilee to the impoverished people of India.

THE SECOND REMEDY—REDUCTION OF EXPENDITURE.

It is sometimes said that if the State demand from the soil be thus limited it will be impossible to meet the growing expenditure of India. That brings us to the second remedy—reduction of expenditure, especially of the military expenditure which is largely due to expeditions and defence works carried out in pursuit of Imperial policy outside the limits of India. Mr. Romesh Chunder Dutt cites once again the important evidence given before Lord Welby's Commission by Sir Henry Brackenbury, and suggests that the Imperial Exchequer should pay to the Indian Exchequer not a fixed annual grant but a fixed proportion of the entire military expenditure of India:—

We would propose, therefore, that Great Britain should pay some fixed proportion, however small it might be, of the entire military expenditure of India. This would give the taxpayers of Great Britain a control, which Indian taxpayers cannot ask for, over the entire Indian military expenditure. Sir Henry Brackenbury has said that if the question of the Indian frontier was done away with altogether, the Indian army might be reduced by 20,000 British troops and 50,000 Indian troops. This means about a third of the entire Indian army. Equitably and reasonably, therefore, England might be asked to pay a third share of the entire military expenditure of India. But if she pays even a fourth or a fifth of that expenditure she would perceptibly relieve the Indian taxpayer. And the relief would come less from the contribution, directly made, than from the control over Indian military expenses which English taxpayers would then jealously exercise. From the nature of things the Indian taxpayer cannot exercise that control. When the Viceroy and the Commander-in-Chief consider some new expenditure necessary, there is no authority in India to ask the reason why.

But of course "the whole subject of Indian finances requires the most careful consideration." The

"Home Charges" are a large subject in themselves. "The annual exports from India exceed the annual imports of merchandise and treasure by over £20,000,000. For this excess of exports over imports India receives no commercial equivalent; it is a steady drain on the resources of India."

THE THIRD REMEDY—REFORM IN ADMINISTRATION.

In towns and in seats of government the administrative machinery has undoubtedly undergone some recent change. But in rural tracts the "one-man rule" set up by Warren Hastings remains practically unaltered after the lapse of over a century. Especially Mr. Dutt mentions the need for a change in "the comprehensive and fantastically variegated powers" of the District Officer. His position in relation to the administration of justice is merely grotesque:—

The district officer is the head of the police in his district; he directs investigation into heinous cases: he receives and peruses diaries sent up by investigating police-officers; he forms his opinion of a case from the perusal of these police diaries; and if the case appears to him to be true, he directs the case to be sent up for trial. When the case comes up, the district officer sends it to one of his own subordinate magistrates for trial, and he prosecutes the case through a subordinate police-officer. If the subordinate magistrate who tries the case is what is known in India as a second-class or a third-class magistrate, and if he convicts the prisoner, the prisoner's appeal lies to the district officer. We shall suppose, that his appeal is rejected, and a sentence of hard labour on him is confirmed; the district officer is again the head of the local gaol, and sees how the prisoner is worked in gaol. To sum up, the district officer is the police officer who directs the police investigation; he is the superior magistrate who has the prisoner tried by his own subordinate; he is the prosecutor who prosecutes the prisoner; he is the appellate court who hears the appeal if the prisoner is tried by a second or third-class magistrate; and he is the head-gaoler who superintends the prisoner's work in the gaol.

One is not surprised to read that this arrangement is needlessly making British administration unpopular in Indian districts. It is not the fault of the men, but of the methods. Here, also, Mr. Dutt calls attention to the need of entrusting the people in villages with some powers to deal with purely village concerns.

THE FOURTH REMEDY—GIVE INDIANS A REAL SHARE IN THE ADMINISTRATION.

"A benevolent administration such as India enjoys is the first essential for the well-being of a country, but it is also essential that the people should have a real and important share in conducting that administration." This can be done in two ways: (*a*) in fulfilling repeated British pledges with reference to the admission of Indians into the higher posts in the Government of their own country; and (*b*) in extending the principle of representation. There is, Mr. Dutt says, no nobler or more devoted body of public servants in the world than the English administrators who have undertaken the government of India, "but it is no reflection against these alien rulers to state that frequent and serious mistakes might be avoided, and more complete success in civil administration might be secured, if they availed themselves to a greater extent than they have yet done of the opinion, the advice, and the co-operation of the enlightened leaders of the people."

A feeling of unrest is perceptible in India, not of unrest under the British rule, but of unrest under a form of government framed forty years ago, and which no longer suits the circumstances of the present day. There is danger in exaggerating this feeling, but it were folly to close our eyes to it altogether. And the secret of this feeling of unrest is this, that educated Indian opinion and sentiment and ambition are struggling against that cast-iron form of administration which has not expanded with the times. Indian opinion seeks to be heard, and is not heard; Indian feeling seeks to be represented, and is not represented. It is easy to condemn this desire as discontent, or even disloyalty, but Englishmen must know that it is neither one nor the other. It is a natural feeling produced by antiquated methods of government after the country has outgrown those methods. It is a feeling which Englishmen would have felt to-day, if the old system of representation had not been reformed by the Acts of 1832, 1867, and 1884.

"THE ONE WEAK POINT."

The one weak point in English administration in India is that want of sympathy which Elphinstone deplored sixty years ago, that want of touch with the people which keeps the Government ignorant of their real wants and feelings, that want of intimate local knowledge which leads even a wise administration into blunders and mistakes which sometimes result in serious consequences. It is possible to remove this want by inviting the representatives of the people themselves to co-operate more largely in the work of administration, and it is possible to enlist the natural ambition of leading Indians, the growing aspirations of educated Indians, and the willing advocacy of the press itself in the cause of British administration, instead of estranging them by an exclusive policy. An exclusive policy is, under the present circumstances, both weakness and folly; a policy of recognising the just influences and aspirations of the people is a policy of strength as well as of wisdom. The former policy makes the British administration liable to errors and mistakes, and makes the entire public opinion of the country keen and eager to criticise those mistakes. The latter policy would lessen the chances of mistakes, and would enlist the public opinion of India in the work of rectifying those mistakes. The former policy needlessly creates difficulties by excluding the people's co-operation and estranging their public opinion; the latter policy would smooth the work of administration by throwing it partly on the people themselves, and would enlist Indian public opinion in the cause of Indian administration. The former is a difficult and a thankless task; the latter would be an easy and a grateful task.

MR. COURTNEY ON INDIAN ADMINISTRATION.

We extract the following important and suggestive passage from the speech delivered by the Right Hon. Leonard Courtney, M.P., at Fowey, on October 30:—

For two years he had served on the Royal Commission which had been considering the financial position of India. In the course of a few months they would be arriving at some conclusion. But whatever that conclusion might be, it was no false anticipation to say that they would confirm the belief that India was an extremely poor country, and the difficulty of raising revenue to meet the expenditure was one pressing always upon the Indian Government, and at the present time pressing more severely than ever. . . . This opened up a larger question. After all, what was this Government of India to whom we were bound to defer, even if we thought they were wrong? Who were these ten or a dozen gentlemen who governed India? Who appointed them? How were they trained? What were their special qualifications? How were these 300 millions of people ruled? He did not intend to enter upon that question now, but it was a serious question, which would have to be very deeply considered. They could not very well have India governed by an Indian House of Commons, choosing its own Government, just as the British House of Commons chose the Government at home. Things were not ripe for that yet. Nor could India be governed by the British House of Commons as the United Kingdom was

governed. The House of Commons would be quite incapable of ruling British India in any direct fashion, and British India could not be left to govern itself. And so British India remained a question which would occupy our attention for some time; but it would have to be considered and dealt with very carefully. This bureau, this little set of people in a room, collected one scarcely knew how, put there one did not know why, having qualifications of which we had no surety, was not the final system of government for India. The House of Commons never could do it, because it was already overburdened with work, and to undertake to govern India directly would infallibly break its back. But that great question would have to be considered; and, if at some future time it fell to his lot to have to address them on the question of the government of India and the problem of how to bring that government into relation with modern life and secure some interpretation of native opinion and some authority for educated English opinion, he was confident he should be rewarded with the same attention and the same intelligence they had given him that night. (Cheers.)

THE "FORWARD" FRONTIER POLICY.

SIR HENRY FOWLER BREAKS SILENCE.

The Right Hon. Sir H. H. Fowler, M.P., addressing his constituents at Wolverhampton on Saturday, November 20, said:—

The chairman has already indicated to you what is going to be the particular topic on which I am going to speak to you to-night, and it is a topic, as he said, of great importance. As Mr. Mander has said, there are many grave questions which are occupying public attention, and in the foremost place is the conflict which is now raging on the North-West frontier of India. (Hear, hear.) The nation has been thrilled with the records of heroic courage which have upheld the proud traditions of the British army and displayed the unflinching loyalty of those Indian troops who rank among the bravest soldiers in the service of the Queen. (Cheers.) But the strength and unanimity of this national feeling necessitates some reconsideration of the policy with which in the past, and I am afraid in the future, this brilliant campaign is involved. The office which I held in the late Government requires that I should take my share, and it is no small share, of the responsibility for the action which our successors have reversed and censured. In this controversy, as in all controversies, the first step is to ascertain the facts, and as many of the criticisms upon the conduct of my colleagues and myself ignore or misrepresent both facts and dates, I am bound as briefly as I can to go into some detail in telling the story of the events which preceded the outbreak which it is now the duty of the Indian Government to suppress. (Hear, hear.) On January 1, 1895, the native ruler of Chitral was assassinated by order of his brother. A British officer representing the Government of India was in Chitral with a small escort when the murder took place, and to him the usurper sent a deputation asking to be recognised as his brother's successor. The reply was that the question would be referred to the Government of India, whose orders must be awaited. In the meantime a detachment of soldiers was sent to Chitral, and Mr. (now Sir George) Robertson, who was the political agent at headquarters, started for Chitral. He arrived on February 1. In the interval a native chief, who was no doubt an accomplice in the conspiracy, invaded the State of Chitral with a large force. Sir George Robertson took up his position in the fort, and the troops accompanying him made up a garrison of nearly 400 men. Further fighting took place, and early in March Sir George and his garrison were besieged. On March 8 I was informed of the necessity of an expedition to rescue Sir G. Robertson, and on that day I telegraphed to the Government of India authorising them to take any action that they might deem necessary to secure the safety of the British force. (Cheers.) Those men were there, representing their Queen and country, and we were bound at all cost to give them protection. That was the first consideration of the moment. (Hear, hear.) The Indian Government, with admirable promptitude, at once mobilised a large army—some 15,000 men—and prepared to cross the frontier. Chitral—a country about the size of Wales—is described by Captain Younghusband, who is intimately acquainted with the locality, as a "sea of mountains, practically bare, except in the lower part, and it is only in small patches at the very bottom of the narrow valleys that any cultivation at all can be found." The State is bounded in the main by the countries inhabited by some of the tribes with whom we are now so sadly familiar. The fort of Chitral is nearly 200 miles from Peshawar, and the army intended to relieve that fort had to march through the territory held by these independent tribes. It was, therefore, of the first importance not only to avoid conflict with them, but, if possible, to secure their friendly co-operation. To attain this object the proclamation about which so much controversy has raged was issued, in the middle of March. That proclamation stated, first, that notice had been given to the chief of the besieging army that unless he retired from Chitral by April 1 the Government of India would use force to compel him; secondly, that the sole object of the Government was to put an end to the present and to prevent any future unlawful aggression on Chitral territory; thirdly, that as soon as that object had been attained the force would be withdrawn; fourthly, that the Government had no intention of permanently occupying any territory through which they passed—(cheers)—or of interfering with the independence of the tribes; and, fifthly, that they would scrupulously avoid any acts of hostility towards the tribesmen so long as they on their part refrained from attacking or impeding in any way the march of the troops. (Cheers.) I may say I was aware of the general purport of this proclamation, but I did not receive the text until April 2.

THE MEANING OF THE PROCLAMATION.

Without discussing at present the effect of this proclamation, it is not unimportant to consider what it was then understood to mean. In the *Times* of March 23 their correspondent in a telegram describes the proclamation as stating that we did not intend to annex any territory, "but merely to compel the invading chief to evacuate Chitral." A few days later, on March 28, Mr. George Curzon, who had been Under Secretary of State for India in Lord Salisbury's Administration, and whose authority on all Eastern questions is exceptionally high, wrote to the *Times* on the Situation in Chitral, and in that letter he says: "I see that the Indian Government have issued a proclamation to the tribes to say that as soon as they have attained their object in Chitral the British force will be withdrawn, and that there is no intention of occupying the intervening territory. Of course, this may be technically true; but if this proclamation means, as it will undoubtedly be interpreted to mean, that having opened up the essential and inevitable route to Chitral, we are going to allow it again to be closed, it will be difficult to find words in which to describe the melancholy fatuity of such a decision." A perfectly fair criticism on Mr. Curzon's part, but you see what it involves. (Hear, hear.) The Indian Government in their despatch dated April 17 state that "a proclamation was issued to the people of Swat and others on the Peshawar frontier, announcing the intention and object of Government, assuring them that we did not intend to permanently occupy any territory through which the force might pass or interfere with the independence of the tribes, and promising friendly treatment to all those who did not oppose the march of the troops." The same despatch further states that after the issue of the proclamation the authorities at once commenced negotiations with the Swatis and other tribes concerned, and explained the situation to them; that our agent having learnt that some of the other tribes had been recalled to their homes, he was authorised to explain to the people the purport of the proclamation; and that one of the principal chiefs had, on receipt of the proclamation, openly declared himself a friend of the Government. Thus, we have from the press, from the official Opposition through the responsible representative in the House of Commons of the India Office in the preceding Government, from the Government of India, and from the action of some of the tribesmen, what was the general impression of the meaning of the proclamation. (Hear, hear.) I need not recall the brilliant story of the defence and relief of Chitral. On that there is no conflict of opinion. The Englishmen of to-day and the Englishmen of the future will never forget the unselfish heroism which distinguished Sir George Robertson and his comrades during that memorable siege—(cheers)—nor the splendid courage which characterised the advance from Peshawar and the march from Gilgit. (Cheers.) The controversy arises as to the conflicting policies which

followed the complete success of the military expedition. And for those policies the two Cabinets, which in turn adopted them, are alone responsible. (Hear, hear.) It was the duty of the Government of India to advise the Home Government on all the aspects, both civil and military, of the grave and difficult questions which the state of affairs at Chitral had raised. It was the duty of the Home Government to treat that advice with the greatest consideration, to appreciate the weighty arguments which had influenced the eminent men of whom the Government of India was composed, but the decision and the responsibility rested, and solely rested, with the Cabinet of the Queen. (Cheers.) Our policy with respect to Chitral was not a new question. It had occupied the attention of Lord Cross, Lord Kimberley, and of myself, and the existing arrangements were temporary. Aware of this I telegraphed to the Viceroy on March 30, that as soon as the present trouble was over our policy with regard to Chitral and neighbourhood would have to be fully and carefully reconsidered in the light of recent events, and that our hands must be kept perfectly free. "I hope," I added, "that you will take care that nothing is said or done to commit the Government either way, with regard to making new roads or retention of posts now occupied or occupation of new posts."

VIEWS OF THE INDIAN GOVERNMENT.

On April 19, the day Chitral was relieved, I asked by telegram for the advice of the Indian Government on the strategical and political importance of Chitral, and for their suggestions as to the course to be adopted in the future. This telegram was crossed by a telegram to me from India, and in that telegram the Viceroy stated that in the opinion of the Indian Government the military occupation of Chitral, supported by a road to Peshawar, was a matter of first importance, and he added: "We are unanimous in asking your permission to enter into negotiations with the tribes with the view to obtaining their consent to the opening up of this road, when, in our opinion, the opportunity arises, in connexion with General Low's advance, and in thinking loss of this opportunity would be serious mistake." It may give you some idea of the length and character of the proposed road, if I say that if on the map Birmingham stood for Peshawar, Carlisle would represent Chitral, and the Alps the intervening country. (Hear, hear.) On April 20 the Viceroy telegraphed me, in reply to my telegram which had been crossed, that the telegram which I have just quoted expressed the views of the Indian Government as to the importance of Chitral, but that without entering into negotiations with the intervening tribes he could not answer as to the extent of political difficulties or cost of road. To this I replied that I had no objection to his sounding the tribes as to the terms and conditions on which they would consent to opening and maintaining the road from Peshawar to Chitral, should this road be hereafter decided on, but I further stated that I did not wish to be committed to any policy until Her Majesty's Government had fully considered the detailed views and arguments of the Indian Government with respect to that policy. On May 8 the Indian Government sent a despatch containing their views and arguments. I was advised by telegraph as to the effect of the despatch, and also of the desire of the Indian Government that the decision of the Cabinet should be postponed until after the arrival of the despatch by mail and of its accompanying documents. The despatch reached me about the end of May—I think the 27th or 28th. It was a masterly and lucid reply to my request for the detailed views of the Indian Government upon the questions I had submitted for their consideration. The situation with its dangers was clearly set forth, and very powerful arguments were urged in favour of the policy advocated. That policy was the military occupation of the Chitral Valley and the construction of the road from Peshawar. With respect to the road, the despatch stated the difficulties to be (1) that the expense might be prohibitive; (2) that if the opening of the road meant subduing the tribes and holding the line by force, it would not only involve great cost, but many embarrassing complications. The Indian Government added that they were not convinced that these difficulties would occur. They stated that the expedition had not aroused a general religious war, that the hostility of the tribes had been exaggerated, that the leading men were amenable to arguments of utility, that the fanatical Muhammadan influence was less strong than it was believed to be, and that it might be possible to come to arrangements with the intervening tribes which, backed by force, would be adequate to keep open a route by which troops and supplies could be sent up to Chitral. They added that without opening negotiations they could not say what chance there really was of making satisfactory and permanent amicable arrangements, and that it would be impossible, under existing circumstances, to do more than make indirect enquiries until they were informed of the decision of Her Majesty's Government on the whole policy to be adopted in Chitral. The despatch concluded with the statement that the Indian Government were fully conscious that the course which they recommended might involve the Government in an expense which the finances of India could ill afford, and in an increase of responsibilities with the tribes on the North-West frontier, which they would fain avoid.—(Hear, hear.)

UNFOUNDED CHARGES AGAINST THE LATE GOVERNMENT.

The late Government have been blamed for unnecessary delay in arriving at their decision, and they have been accused of acting with rash precipitation. Both these inconsistent charges are unfounded. (Cheers.) The question was not one to be decided, as one of my critics said, in twenty-four hours. It required consultation with the highest expert authorities, both military and civil, and it demanded the fullest consideration by the Government, with whom the responsibility of the decision rested. Both these conditions were fulfilled. (Hear, hear.) The question was primarily a military one—viz., whether Chitral was of such strategical importance as to be essential as a safeguard from invasion. The Commander-in-Chief of the Indian army and the military member of the Indian Government were both of opinion that it was, and in that view they were supported by the great authority of Lord Roberts. On the other hand, Indian generals of equal weight were of a contrary opinion. Lord Rosebery's Government felt it to be their duty to avail themselves of the best military advice that they could obtain; and I say now, as I have already said in the House of Commons, that so far as military considerations were concerned, our policy was settled upon the advice of some of the most eminent military authorities in the Empire. (Cheers.) Their advice and its reasons could not be published, but I may state that the effect of their unanimous opinion was that the gigantic natural defences of the North-West frontier would not be strengthened by the military occupation of Chitral, that it was not a place of importance either as a base for military reserves or for military operations, that to lock up troops in Chitral or in the Chitral Valley would be a blunder, and that the construction of the military road from Peshawar to Chitral would be an advantage to an invading force and a disadvantage to a defending force. (Cheers.) There were many other confidential considerations of a technical and detailed character to which I cannot refer, but which strengthened the opinion of our military advisers. The occupation of Chitral depended upon opening and maintaining the road, and that, as we considered, depended upon obtaining the consent of the tribes. Civilian experts, Indian statesmen, with long experience of the frontier and of the tribes, were of opinion that to make the road under arrangement with the tribes would lead sooner or later to a control over the whole of the country through which it passed; that a policy of insisting upon open roads and respecting at the same time the independence of the tribes was impossible; that the road could not be effectually kept open and protected for any length of time by merely tribal arrangements, but would have to be protected by regular troops; and that the construction and holding of the road meant the practical subjection and annexation of the tribes and their territory between Peshawar and Chitral. After careful consideration it appeared to us that the construction and defence of the road with the consent of the tribes would be a dangerous policy; and even if such arrangements could be made they could not be relied on as of practical or permanent value. We were further of opinion that to construct the road without those arrangements would be a violation of the proclamation, on the faith of which several of the tribes did not combine against and oppose our march through their territories. (Hear, hear.) Having regard to all the considerations which I have briefly summarised, the late Government came to the conclusion that they would not be justified in accepting the proposals contained in the despatch, and they decided that no military force or European agent should be kept at Chitral, that the road should not be made, and that the army which had effected the relief operations should return to British territory as speedily as circumstances

would allow, the dates and details being left to the discretion of the Indian Government. That decision was telegraphed to the Viceroy on June 13. The next day he replied that while deeply regretting he loyally accepted our decision, and a few days later he telegraphed the proposals of the Indian Government for carrying out our policy. On the day on which that telegram arrived we tendered our resignation to Her Majesty. (Laughter.)

TORY REVERSAL OF LIBERAL POLICY.

Now, gentlemen, I have given you a complete and, as I believe and intend, an impartial account of the action of my colleagues and myself. (Cheers.) The leader of the House of Commons has severely attacked not only our policy, but our personal conduct, and I should be wanting in my duty to my colleagues and myself if I did not take some notice of the charges which he has brought against us. He alleges that no communication was ever made to Lord Elgin that the opinion was entertained that the policy advocated by the despatch of May 8 was inconsistent with the terms of the proclamation. He emphasises this charge by insinuating that Lord Rosebery and myself, many weeks after we left office, invented the idea of a breach of the proclamation, and that our own colleagues —he mentions Mr. Morley and Mr. Asquith by name— (cheers)—were totally unaware when the Cabinet arrived at its decision that any such idea had been entertained. Mr. Balfour is incapable of making a statement which he does not believe to be true; but in this case the information on which he spoke was imperfect and inaccurate. His allegation is absolutely unfounded, and to it I give the most unqualified contradiction. (Loud cheers.) Without disclosing what was confidential, I am bound to say that immediately on receipt of the despatch of May 8 I personally communicated with Lord Elgin on this question. I frankly admit that Lord Elgin did not consider that the policy proposed in that despatch was a breach of the proclamation, and he gave me his reasons for holding that opinion. Those reasons, together with the despatch, were submitted by me to all my colleagues some days before the Cabinet meeting was held when they arrived at their decision. Mr. Balfour talks of bandying arguments backwards and forwards between the home Government and the Government of India, and he refers to some controversy about questions of expense, of policy, and of military strategy. All this is a flight of his brilliant imagination. (Laughter.) There was no controversy and no bandying backwards and forwards of any arguments. I asked, as I was bound to ask, the Government of India for their opinion. They gave it in their despatch which arrived at the end of May. They were anxious for our decision. That decision was given immediately after the consideration to which I have already alluded. Mr. Balfour talks about our overruling the Government of India. This is a complete misunderstanding, not only of the constitutional position of the Government of India, but of everything that took place between the Imperial and local Governments. The decision of this and all similar cases rests solely with the Imperial authority, and for the reason which Lord Salisbury stated in his well-known despatch where he laid down the sound doctrine that the supreme authority of Parliament is the reason and the measure of the authority exercised by the home Government in Indian affairs, that so far as Parliament is concerned no responsibility of the Government of India exists, and that the only responsibility known to Parliament is that of the Minister of the Crown. (Cheers.) The late Government were responsible for the decision to evacuate Chitral. The present Government are responsible for the reversal of that decision. (Cheers.) The late Government were of opinion that their decision prevented any violation of the proclamation. If they were wrong, they and they alone must submit to censure. The present Government are of opinion that the course which they have pursued is consistent both with the letter and spirit of the proclamation. If they are wrong, they and they alone must bear the blame. (Hear, hear.) To describe criticism or censure of their policy as being not an attack upon Lord Salisbury and Lord Salisbury's Government, but a personal attack upon Lord Elgin and his Council, is a flagrant contradiction of the facts of the case, and an unworthy attempt to hide the real responsibility of the Cabinet behind the great personality of the Viceroy—(cheers) —who pre-eminently deserves, in Mr. Balfour's own words, "the support, the encouragement, and the cordial admiration of every citizen of this country." If we had remained in office a few days longer it would have been my duty to have sent a despatch to India putting on permanent record all the reasons which led to and justified the decision conveyed by our telegram, and our opinion of the subsequent proposals made by the Government of India. Those reasons were, however, on the very first opportunity after the general election fully stated by the late Prime Minister and by myself, in both Houses of Parliament. My successor, on taking office, announced that the present Government would reconsider the Chitral question, and on August 1 he enquired as to the possibility of arrangement with the tribes for the road. The Indian Government replied that they had avoided open negotiations with the tribes, but that the reports received by them warranted the confident expectation that peaceable arrangements could be made. They also stated that no addition to the army was asked. Some days later Lord George Hamilton telegraphed the assent of the Government to the proposals contained in the despatch of May 8, subject to the condition (among others) that there should be no increase to the army; and he added, "Do nothing in any way to infringe the terms of the proclamation." A fresh despatch followed in due course, in which the Indian Secretary stated his opinion that the reports as to the expectation that a peaceable arrangement could be made as to the road, and that the army would not be increased materially, altered the position, that it removed the doubt which had been felt—not only felt by us, but by them— as to the opening up the road by peaceful means and maintaining it without an intolerable burden of expenditure being imposed on the Indian revenue. The removal of this doubt cleared away the main obstacles to the proposals in the despatch and he had thereupon telegraphed their acceptance by the Government. The Indian Secretary concludes with a paragraph which, to say the least of it, throws a side-light on some recent assertions that the idea of any breach of the proclamation was an afterthought, which first saw the light in the autumn of 1897. I quote the words of this paragraph:— "But your information is still incomplete as to the exact cost of the scheme, and I felt some doubts as to the absolute necessity of permanently maintaining regular troops on the Malakand Pass, and as to whether the tribes would see in this an infringement of the proclamation. (Cheers.) I therefore added to my telegram the injunction that the arrangements for this part of the scheme should be held over pending the receipt of fuller details of expense and a caution for strictly keeping to the conditions of the proclamation." This despatch had not been published when Lord Rosebery made his speech in the House of Lords. Lord Rosebery, however, stated the arguments which had influenced his Government in deciding against the military occupation of Chitral, and one of those arguments was the "breaking faith with the people among whom the campaign had taken place." (Cheers.) A fortnight later, when the papers had been published, a long debate took place in the House of Commons, and I then explained and defended the action of the late Government. Lord George Hamilton in his speech attacked what he called my indictment of the Indian Government with respect to the proclamation. In reply, I stated that, in my belief, Lord Elgin and his colleagues had no intention of violating the terms of the proclamation, that they believed that peaceable arrangements could be made for the construction of the road, and although I did not agree with them in this opinion I admitted that if these arrangements could be made there would be no violation of the proclamation. I added that this was a question of argument, and not one of imputation upon Lord Elgin, for whom I had a profound respect. (Cheers.) What I said then I repeat to-day, and the point at issue then was (and Sir W. Harcourt—(cheers)—in the debate urged it with great force)—could this road be peaceably made and maintained under arrangements which had any hope of permanency? The events of the last four months have, I think, decided that question. (Cheers.) Eventually agreements were made with some of the tribes for the construction and defence of the road by their levies, for the surrender of their rights to tolls and for payments to the chiefs. The Queen's speech at the commencement of the Session of 1896 declared that these agreements had been loyally carried out. In the debate on the Address Lord G. Hamilton stated that the most sanguine anticipations anyone could have indulged in had been more than realised. He congratulated the Conservative party for their true political instinct when, by an overwhelming majority, they assented to this forward movement, and declared his belief that "there had been no forward

movement of recent years made by any Government which had been more beneficial and which would more tend to put an end to those periodical disturbances and outbreaks of fanaticism which had previously characterised that remote corner of India."

THE MAGNITUDE OF THE REVOLT AND ITS CAUSES.

Within less than eighteen months after that rosy picture had been presented to the House of Commons the tribes in the Swat Valley, through whose country the road had been opened, with whom one of the peaceable arrangements had been made, and to whose chiefs large subsidies had been promised and paid, commenced the recent outbreak. They attacked one of the fortified posts on the road, and, as one report stated, "the whole valley was up." The extent and character of this attack was of such a nature that two brigades—one containing four and the other three regiments, with three mountain batteries—were sent forward to support the garrison. After five days' fighting the force under the command of Sir Bindon Blood—about 5,000 men—completely defeated the tribes. (Cheers.) By this victory the threatened attack on the Malakand fort—the principal fort on the road—by an army of 6,000 men was prevented. A week later several thousand men of another tribe attacked one of our forts only 15 miles from Peshawar. That attack was, after fierce fighting, brilliantly repulsed. (Cheers.) The Government of India properly poured troops into the district, and by the middle of August our forces had increased to about 37,000 men. At that date, according to one account, "the tribes were all up through a mountain district 600 miles long by 200 miles broad." Then came the treacherous outbreak of the Afridis—a tribe hitherto loyal to the Government, and to whom had been entrusted for nearly twenty years the guardianship of the Khyber Pass. In September we were attacked at Nawagai. The Khan of that tribe was the chief who openly declared himself a friend of the Government on receipt of the proclamation, and his tribe attacked our forces with some 3,000 men. This tribal rising has necessitated military operations on a most gigantic scale. I understood Lord Lansdowne on November 9 to say that our forces on the frontier numbered 70,000 men—more than double the number we had engaged at Waterloo, and a larger number than have ever been engaged in conflict in India before. Lord George Hamilton tells us that not even in the recollection of those who passed through the Mutiny has there ever been so spontaneous and unaccountable an outbreak. I ask myself, and I ask you: Is it absolutely unaccountable? (Hear, hear.) The Secretary of State is of opinion that the triple visitations of famine, plague, and earthquake, combined with the repulse of the Greek invasion of Turkey, were the main causes of this outbreak. I was not aware that the frontier had been desolated by the famine or the plague. (Cheers.) Mr. Balfour tells us that the chief cause was the victory of the Muhammadan Turks over the Christian Greeks. I ask whether there has been any sign of disaffection among the 60 millions of Her Majesty's Muhammadan subjects in India? (Cheers.) Have any of the Muhammadan States sympathised with this alleged religious war? The Queen, in her gracious telegram which Lord Salisbury read at the Guildhall, expressed the intensity of the feeling with which she had heard of "the affectionate and devoted support which her throne, her cause, and her Empire had received from the native princes and peoples of India." (Cheers.) Among the most illustrious of those native princes are the great Muhammadan chiefs. (Hear, hear.) The theory that the wild mountaineers of the North-west have embarked in a crusade to destroy the British rule in India appears to me to be about as probable as that the growing dissatisfaction with the Government as shown in the by-elections is owing to the muzzling of the dogs. (Laughter and cheers.) At the time when I was considering the retention of Chitral, I was officially informed that there was a certain freemasonry among the tribes on the North-west frontier, that those who were too distant from the scene of any expedition to think of joining at once in hostilities against us began to take some interest in their fellow-tribesmen when they heard of any permanent occupation of new tracts, and that in their jealous desire to maintain their complete independence they had a common link of sympathy. It appears to me that this warning was well founded, and that it is within the range of probability that the construction of military forts and the presence of large bodies of troops in districts beyond the frontier aroused the passionate fear of annexation, which is the hereditary patriotism of the tribes. (Cheers.) It is a significant fact that one of the tribes, in reply to Sir W. Lockhart's recent proclamation, protested against the occupation of Swat (the district through which the road runs) and declared that they would oppose further inroads.

WHAT NEXT?

It may be that a belief that the Chitral road and its garrisons were the first steps towards the destruction of the independence of the tribes kindled the conflagration which cannot be extinguished except at the fearful sacrifices which the telegrams from India daily record. But when the fire has been put out, when the victory has been achieved, what next? (Hear, hear.) The question not only for the people and Government of India, but for the people and Parliament and Government of Great Britain, is what is to be our future policy in the North-west of India? The respective merits of governments dwindle into insignificance when we are confronted with one of the gravest difficulties of our Indian Empire. (Hear, hear.) Anglo-Indian statesmen, both civil and military, are divided as to the wisest and safest frontier policy. One section, in view of a possible invasion of India by Russia, advocate the Forward policy. They maintain that our frontiers should be extended until they touch the frontiers of Russia and Afghanistan. They consider that the tribes which occupy the vast region of mountains and deserts which lie between us and what may be called neighbouring Powers should be subjugated and their country annexed, and that thus India would secure a scientific frontier, which would be of supreme advantage in case of any attack. The other section, who have been called the party of "masterly inactivity," maintain that every step forward weakens our defence—that our dominions are completely guarded by the mountain ranges of the Himalayas and the Hindu Kush; that we should cultivate friendly relations with the intervening tribes and respect their independence; that to conquer and hold their territory would require a large increase of the Indian army; that the additional expenditure would be an intolerable tax on Indian resources; that our true and safe policy is to develop the trade, the agriculture, the manufactures, the railways and canals, the health and education of the people of India—(cheers)—and that it would be an act of supreme folly to abandon all these enterprises in order to spend vast sums on a military policy the necessity for which has been denied by many of the most eminent Viceroys, the most experienced civilians, and the most illustrious soldiers who have made and maintained our Indian Empire. (Cheers.) Twenty years ago these conflicting policies were submitted to the test of Parliamentary discussion. The advocates of the Forward policy, who were the authors of the Afghan war, defeated their opponents in the House of Commons by a majority of 101. The Opposition were not dismayed. When the time came they appealed to the final authority of the electorate, and the decision was reversed.

THE POLICY OF THE ENTIRE LIBERAL PARTY.

There were no speeches in that celebrated election which dealt so powerfully and so convincingly with the danger and the folly of the Forward policy in its bearing not only on Afghanistan but on the frontier tribes as the speeches of the Duke of Devonshire. He, as Secretary of State for India, in opposition to the strong opinion of the Indian Government, ordered the evacuation of Kandahar. Motions censuring his action were proposed in both Houses of Parliament. The debates were of a high order, and all the arguments for and against the Forward policy were stated with consummate ability. Lord Salisbury, Lord George Hamilton, and Mr. Balfour enforced their disapproval of the evacuation of Kandahar with the same arguments and with the same prophecies that they have opposed the evacuation of Chitral. (Hear, hear.) In the House of Lords the majority in favour of the Forward Policy was 89. In the House of Commons the majority for the policy of the Duke of Devonshire was 120. Every member of the present Cabinet (except Mr. Goschen, who was abroad) voted in those decisions, and it throws some light on the reversal of the policy to evacuate Chitral when we remember that fourteen of the ministers who made that decision voted against the evacuation of Kandahar. (Hear, hear.) And what has been

the result of our experience since 1881? I doubt whether any responsible statesman will to-day assert that the withdrawal from Afghanistan was a mistake. On the contrary, I believe —I may say I know—the vast preponderance of authority supports the opinion that the evacuation so bitterly opposed was a wise and judicious policy. (Cheers.) We have now two courses open to us. One is the occupation and administration of the whole country through which we have passed in the recent expeditions; the other is that, having shown our ability to defeat all hostile attacks of the tribes, we should leave the tribes alone, maintain friendly relations with them as far as possible, but avoid not only the annexation but the appearance of annexation of their country. (Cheers.) It has been well said that if France had a Switzerland between her and Germany, she would be safer than she is now. British India has a mightier Switzerland lying across her border. Why should we destroy so strong a bulwark?—(Cheers.) If, as Lord George Hamilton suggests, we are to construct roads, erect forts, and hold positions in Tirah and adjoining countries, we are taking the first step which will inevitably lead to conflict, to lavish sacrifice of men and money and finally to annexation. The attempt to open roads through these regions means a permanent military force; it means interference with the native inhabitants, punishment of offending tribes. That will be followed by further control, by punitive and probably rescuing expeditions, and in the end annexation. And at what cost, and to gain what advantage to India? (Cheers.) We have yet to deal with the cost of the present expedition. What that cost is I don't know, but if it approaches the figures I have seen, the Indian revenue cannot meet it, and I go further and say ought not to be asked to meet it. (Loud cheers.) Parliament in 1880 resolved to contribute five millions towards the cost of the Afghan war. The reasons which justified that vote are more forcible to-day than they were then. To throw upon India, in addition to the enormous cost and loss of the famine and the plague, the entire cost of the present war would be an injustice which would rankle in every part of the Indian Empire. (Hear, hear.) But I refer to the cost of the policy in the future. By whom is that to be defrayed? By the Indian taxpayer or by the British taxpayer? Ask the present and the late Finance Ministers of India, ask the Chancellor of the Exchequer, and I think we shall be told that India cannot and Great Britain will not undertake that terrible burden. (Hear, hear.) On political, on financial, on administrative grounds, as well as upon the strategical grounds on which I am not competent to speak (but with respect to which I know the opinions of some of the greatest soldiers in her Majesty's forces), we oppose the policy, however disguised, which means the occupation and the annexation of the vast tracts of country now held by the tribes on the North-west. (Cheers.) The frontier policy, which we believe to-day to be the wisest and the safest and the best, was accurately defined by the Duke of Devonshire, when, as Secretary of State for India, he said: "We do not intend to trust to a scientific frontier, we do intend to look only to mountain passes and strongholds. We think that some attention should be paid to the fact that these mountain passes and strongholds are held by men, and are inhabited by men, of whom the strongest characteristic is their deep attachment to their independence. We will try to teach them once more that we ourselves respect that independence, and that in our own interest, and for the protection of our own frontier, we will assist them to maintain that independence against any comer, from whatever quarter he may come." (Cheers.) These were the words of a wise and sagacious statesman, who once led the Liberal party. I venture to say that in those words may be summed up the opinion of the entire Liberal party at the present day. (Cheers.) I have always done my utmost to keep Indian affairs outside the range of party controversy. I have felt it to be my duty (though at the cost of the most unscrupulous misrepresentation) to support in legislation and administration the Indian policy of the Government when I have considered it, on the whole, to be right. The question now before us is an Imperial question, which the supreme and final authority can alone decide. Holding as I do the strongest convictions with respect to the occupation of Chitral, the making of the military road, and the threatened occupation of the territories beyond the frontier, I am bound to oppose a policy which I believe to be fraught with danger to the safety and prosperity of our Indian Empire. (Prolonged cheers.)

THE LATE MR. J. DACOSTA.

It is with deep regret that we have to record the death of our friend and coadjutor Mr. John Dacosta, of Manson Place, Queen's Gate. Though age had been creeping on him for some years past, his usual activity was maintained until severe illness overtook him during his visit to Scotland last summer. But he was at work again on his return until the end came, somewhat suddenly, on October 15. Mr. Dacosta had spent most of his life in India, where at the time of his retirement, some twenty-five years ago, he was the senior partner in one of the oldest Calcutta mercantile firms, Messrs. Ashburner and Co.

Mr. Dacosta was one of those quiet, unobtrusive workers for the public good of whom there are too few. Never desiring to find fame, he steadily did his part year by year, persevering to the end. His chief devotion was to India and the true interests of its people. He was at one time an active member of the East India Association. Since the foundation of this Review in 1890 it has been with him a labour of love to contribute almost continuously to its columns papers and criticisms which were always marked alike by carefulness as to facts, clearness of expression, and earnestness of purpose. These may be chiefly classed under three heads: Increase in Indian expenditure and financial mismanagement; the evils arising from defective administration caused by confusion between Judicial and Executive functions; and the fatal course of the aggressive and costly trans-frontier policy, a subject which he had followed more persistently perhaps than any other writer. In connexion with this should be mentioned his little book, "A Scientific Frontier" (W. H. Allen and Co., 1891).

On the second subject mentioned above, Mr. Dacosta frequently wrote for the *Law Magazine and Review*. Many of these papers, together with others on kindred topics which appeared in that quarterly, have been reprinted under the title "Essays on Indian Affairs, 1892-5" (Stevens and Haynes). Not the least valuable is one reprinted from the *Asiatic Quarterly Review* of 1893, in which some of the byways of the fatal trans-frontier policy are described. If some of our public men could turn to these articles by Mr. Dacosta they would understand far better than many do what has led up to the present situation.

BRITISH MORALISTS OF THE EIGHTEENTH CENTURY.[1]

Mr. Selby-Bigge has compiled in two moderate-sized volumes a work which will be of great value to students of the history of moral philosophy. It contains copious extracts from Shaftesbury, Hutcheson, Butler, Adam Smith, Bentham, Samuel Clarke and Richard Price with shorter passages from Brown, Cudworth, Hobbes, Lord Kames, Locke, Mandeville and Paley.

The selections appear to us to have been made, on the whole, with great judgement; the most characteristic passages of each writer have been chosen and references are made in the introduction to the paragraphs in the book which are consecutively numbered. Not the least useful part of the volumes is a copious analytical index at the end, which provides for the student what he used to be asked to make for himself at Oxford—a commonplace book of

[1] Edited by L. A. Selby-Bigge, M.A. Formerly Fellow and Lecturer of University College, Oxford. (Clarendon Press, 2 vols., 18s.)

the authors quoted, giving their various opinions under such heads as Benevolence, Instinct, Truth, Virtue, etc. One may hope that the kindness and diligence of more accomplished students, like Mr. Selby-Bigge, will not entirely supersede the humbler but useful efforts of our youth.

One name, the greatest of all, will be looked for in vain by the reader. No extracts are given from Hume, though he is, of course, frequently referred to in the Introduction. This is no doubt partly due to Hume's importance, which should compel every student to study him entire, partly to the fact that Mr. Selby-Bigge has edited Hume's *Treatise* and *Enquiries* also for the Clarendon Press. And on the other hand, one feels that such short extracts as are given, *e.g.*, from Hobbes's *Leviathan* and *Treatise on Human Nature*, afford a very inadequate view of the author's position as a whole. Such inequalities, however, are unavoidable in a book of selections, and we must be thankful to Mr. Selby-Bigge for giving us for the first time, in so convenient a form, the main lines of thought and conclusions of the pioneers of moral philosophy in this country.

The introduction is excellent as an analysis of the leading thoughts and discussions which run through the moralists of the eighteenth century. It distinguishes clearly between the intellectual systems which would rest the sanctions of morality on certain *à priori*, immutable laws of nature, universally applicable to all conduct, and the sentimental school which finds the sanction and source of approbation and disapprobation in a special moral sense. Mr. Selby-Bigge criticises and points out the defects of both theories. But it would, we think, have been useful to supplement this discussion by more fully indicating the fundamental change in moral philosophy introduced in this century by the doctrine of the continuity and evolution of human society as a whole. As Mr. Selby-Bigge truly points out, the eighteenth century writers almost invariably treat the individual, or at least the individual generation, as the unit in their problem. When we realize, as Kant first apprehended in the most abstract form and as the sociological and evolutionary doctrines of this century have taught us more fully, that every human faculty is the necessary resultant of all previous human solution, that moral questions are only a part, albeit the highest part, of the science of life and conditioned by facts of biology and psychology, then much of these eighteenth century discussions is seen to be of little scientific value. Much is of a hortatory kind; much, too, is merely verbal distinction.

What is the meaning of "nature"? How can the passion of anger and the affection of parents be both natural? What is the meaning of virtue? Is it not the uncommon degree of a common good quality? Such questions are indeed important to settle, but they can be settled without touching the foundations of human conduct or contributing much to a truly philosophic account of morality.

Mr. Selby-Bigge will, perhaps, some day increase our debt to him by tracing in another work the growth and influence of the social and scientific psychology of this century in its relation to ethics.

F. S. MARVIN.

THE INDIAN MUTINY.

Kaye's and Malleson's History of the Indian Mutiny of 1857-8. Edited by Colonel MALLESON, C.S.I. New edition. In 6 vols., 3s. 6d. each. (London, New York, and Bombay: Longmans, Green and Co. 1897.)

We need not do more than briefly mention the inclusion of this standard historical work in Messrs. Longmans' popular "Silver Library." It is now thirty-three years since Sir John Kaye wrote the preface to his work, which has since been approved by more than a generation of students and of what is called the reading public. One may safely assume that the re-issue of the volumes in their present convenient form, and at a price which brings them within the reach of all, will greatly extend their popularity and usefulness.

MR. KIPLING'S NEW BOOK.

Captains Courageous, by Rudyard Kipling. London: Macmillan and Co. 1897.

Mr. Rudyard Kipling's new book contains nothing about India. It is a delightful tract on the importance of discipline—being the story of one Harvey Cheyne, the spoiled boy of an American railroad millionaire. The boy fell off an Atlantic liner, and was picked up by the crew of a fishing-boat. The skipper thought he was mad, would not believe his story, kept him hard at work codfishing off the Grand Banks until the end of the season, and then restored him—a new being—to his astonished and delighted parents. The strength of the story lies in its enchanting and humorous description of the rough life of the quaint fishermen. Its weakness (as a tract) lies in what appears to be Mr. Kipling's demeanour towards the ostentatious magnificence of Harvey Cheyne's father. We said that the book contained nothing about India. But the skipper's son, telling Harvey of the perils of their trade, says:—

> Fine weather's good sleepin', an' 'fore you know mebbe you're cut in two by a liner, an' seventeen brass-bound officers, all gen'elmen, lift their hand to it that your lights was aout an' there was a thick fog.

Does not something rather like that take place beyond the North-West frontier of British India?

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